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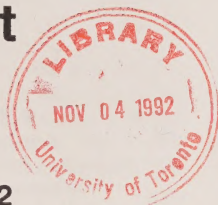
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Official Report of Debates (Hansard)

Monday 19 October 1992



Journal des débats (Hansard)

Lundi 19 octobre 1992

Standing committee on resources development

Labour Relations and
Employment Statute Law
Amendment Act, 1992

Comité permanent du développement des ressources

Loi de 1992 modifiant des lois
en ce qui a trait aux relations
de travail et à l'emploi

Chair: Peter Kormos
Clerk pro tem: Todd Decker

Président : Peter Kormos
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Monday 19 October 1992

The committee met at 1534 in committee room 1.

LABOUR RELATIONS AND EMPLOYMENT STATUTE LAW AMENDMENT ACT, 1992 LOI DE 1992 MODIFIANT DES LOIS EN CE QUI A TRAIT AUX RELATIONS DE TRAVAIL ET À L'EMPLOI

Consideration of Bill 40, An Act to amend certain Acts concerning Collective Bargaining and Employment / Loi modifiant certaines lois en ce qui a trait à la négociation collective et à l'emploi.

The Chair (Mr Peter Kormos): Mr Offer, it's your motion being debated.

Mr Steven Offer (Mississauga North): We had some discussion on this motion last day. Just to be aware, what my motion is doing is extending the protection provided to workers in this province. It is saying that if, in the event of an organizing drive, there is any evidence, any finding, of a contravention of the Labour Relations Act, of an unfair labour practice, from whatever source—and that includes, of course, the employer or the trade union—which has been precipitated by the employer, which causes a barrier to the employee's true wishes being made known, and there is an adequate level of support for unionization, then the establishment will be automatically certified.

It goes on to say that if there is a finding of an unfair labour practice by the trade union, then that application is immediately dismissed. As we know, the government, in its Bill 40, does not afford any protection to a worker who may be the victim of an unfair labour practice perpetrated by the trade union. We know from our public consultation that others came before this committee and said that as there are examples of intimidation and coercion by employers, so there are examples from the trade union side.

My amendment is designed to provide protection to all employees of this province from intimidation and coercion, from whatever source. I believe it is an amendment which in no uncertain way provides a broader form of protection to the workers of this province, and I ask that all members of this committee give to the workers of this province that protection which is not now in the legislation.

The Chair: There being no further debate, all those in favour of Mr Offer's motion.

Mr Offer: Recorded vote, please, Mr Chair.

The Chair: Go ahead. All those in favour?

Mr Jerry Kovacs: Excuse me.

The Chair: Yes, sir.

Mr Kovacs: If I might add a brief comment, I simply note to Mr Offer section 71 of the current Labour Relations Act, which prohibits any person, trade union or employers' organization from seeking by intimidation or coercion to compel any person to become or refrain from

becoming or continuing or ceasing to be a member of a trade union.

I'd further point him to Bill 40, section 8, which sets out what would become section 8 of the Labour Relations Act, dealing with certification. In subsection (6) of those provisions, the bill makes clear that post-application-date evidence in respect of section 71—which would include the intimidation and coercion you've alluded to—and also in clause (b) of that subsection, evidence respecting the voluntariness or involuntariness of the expression of true wishes from an employee, might be considered by the board. You will know that those considerations in the labour board's current jurisprudence, and the ministry would expect in its future jurisprudence, would continue to rule the board in its decision about whether or not it should exercise its discretion to order a vote in a case of a certification application.

Mr Offer: In response to the Ministry of Labour, I could not disagree with you more. Under Bill 40, you have a provision that states if there is an unfair labour practice by the employer, which is identified and proven, then there is automatic certification. What I am saying here is that if there is an unfair labour practice by the trade union in organizing, it isn't enough that the application be dismissed; what we are saying is that there must be a penalty to the trade union, as there is to the employer. I am saying that the penalty is that the application is not only dismissed but cannot be brought forward for a period of one year.

This is the only way in which the workers of this province will get the protection they need and deserve. I am not saying that intimidation and coercion are widespread; I am saying that we heard it in the public hearings. People came before the committee. They expressed their concerns, they expressed their opinions and they expressed their own experiences. For this legislation to proceed without giving to the workers of this province protection against intimidation, coercion, unfair labour practice, from whatever source, is to turn your backs on the people who had the courage to come before this committee.

The Chair: There's been a call for a recorded vote. All in favour?

Ayes

Offer, Turnbull, Witmer.

The Chair: Opposed?

Nays

Hope, Huet, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Yes, sir.

1540

Mr Offer: Mr Chair, just before proceeding, I would like to hear from the parliamentary assistant whether they

are going to allow the nursing profession to be included under paragraph 7(2)4 of Bill 40. It is important that I hear that response.

The Chair: Go ahead.

Ms Sharon Murdock (Sudbury): I'm afraid at this point I still haven't spoken with my minister and it will have to be brought before committee of the whole.

Mr Offer: I am going to be providing a motion that will require the Ministry of Labour to start to deal with this issue. You have dodged this issue from the beginning, and I will be asking and making a motion to that effect.

The Chair: You're moving that?

Mr Offer: Yes, Mr Chair.

The Chair: Do you want to say that again slowly so the clerk can write it down?

Mr Offer: I move that the committee request the Minister of Labour to establish a task force of the Ministry of Labour and the Ontario Nurses' Association to deal with the issue of inclusion of the profession of nursing into the terms of the Ontario Labour Relations Act.

The Chair: That's not a motion making an amendment.

Mr Offer: No, it isn't.

The Chair: Unless anybody wants to argue otherwise, it wasn't necessary for it to be filed or tabled before 4 o'clock on the last day. Go ahead, Mr Offer.

Mr Offer: I just make this motion because this is a question that's been posed to the parliamentary assistant and to ministry staff from day one. They continually refuse to address the issue, and I know that under the terms of the closure motion it will be impossible for me to bring forward this motion at a later date. It will be impossible for me to bring forward this motion at any time after 4 pm today, so it is absolutely imperative that I bring forward a motion at this time in the event that the government does not move on the amendment to include nurses under the Ontario Labour Relations Act, as is desired by the Ontario Nurses' Association.

Mr Paul Klopp (Huron): I want to make a clarification, I think. I just heard the member say that this has been discussed from day one of this hearing. If we look back in our Hansard over last week, I believe, the question was raised, from memory, between the member and Ms Witmer and the PA, and I believe it was the same gentleman who just said now it's been talked about since day one. If you look at the Hansard, I believe it'll basically say in there that he knew nothing about it and it was news to him. I find it ironic that today he tries to imply that this has been discussed since day one and he was aware of it. I just want to bring that out.

Mrs Elizabeth Witmer (Waterloo North): Just in response to the amendment that's been moved by the critic for the official opposition, the Ontario PC Party added an amendment last week which was consistent with what ONA was asking for, that nursing be added to the list of professions. We stood that motion down in order to get a response from the parliamentary assistant as to the position of the ministry on that issue, but yes, they very much want

to be added to the list of professions so that they can have a bargaining unit that consists solely of employees who are members of their own profession. I would hope we can get a response, but I understand there's not one available.

Ms Murdock: This was discussed on Thursday, Mrs Witmer, and actually your motion would cover it, so the government didn't have to bring forward one.

Mrs Witmer: But when are we going to be voting?

Ms Murdock: Yes, I realize. Actually, Mr Dean is going to phone through and see if we can get the minister's office. I realize.

Mr Offer: Fifteen minutes.

The Chair: Mr Offer?

Mr Offer: No, Mr Chair, I have made the point I wish to make.

The Chair: There being no further debate around—yes, Ms Murdock?

Ms Murdock: Just a point: I realize that it would be late, but it still can come forward in committee of the whole.

The Chair: Thank you. There being no further debate on Mr Offer's motion—Mr Offer?

Mr Offer: I'd like a recorded vote on that.

The Chair: All in favour, please indicate.

Ms Murdock: Would you read it again? I'm sorry, but I would like to hear the—

The Chair: Perhaps you could read it again, Mr Offer.

Mr Offer: Where is it?

Clerk Pro Tem (Mr Todd Decker): It's being photocopied.

The Chair: We'll wait.

Mrs Witmer: Mr Kormos, given the hour I guess I'm a little annoyed that the—

The Chair: You're a little annoyed?

Mr Offer: —member for the Liberal Party would bring it forward at this late date and we'd have to sit here and waste further time.

The Chair: Thank you. Mr Offer's motion has been distributed. Mr Offer has called for a recorded vote. As in every instance when there's a call for a recorded vote, people who are in favour will raise their hands and keep their hands raised until their names are called. All in favour?

Ayes

Offer, Turnbull, Witmer.

The Chair: Opposed?

Nays

Hope, Hugert, Klopp, Murdock (Sudbury), Wood.

The Chair: Mr Offer's motion is defeated.

Ms Murdock moves that section 11 of the bill be struck out and the following substituted:

"Subsection 10(3) of the act is repealed and the following substituted:

"Membership

"(3) For the purposes of sections 8, 9 and 9.1, a person who is a member of any constituent trade union of a council

or who has applied to become a member of one shall be deemed by the board to be a member of the council or to have applied to become a member of it."

Yes, Ms Witmer?

Mrs Witmer: Would you repeat the section we're on?

The Chair: Ms Murdock moves that section 11 of the bill be struck out and the following substituted:

"Subsection 10(3) of the act is repealed and the following substituted."

Mrs Witmer: Have you dealt with the PC motion related to section 10 of the bill, section 9.2 of the act, referring to certification, where the act is contravened?

The Chair: Just one moment please.

Mrs Witmer: I think it followed the motion that's just been put by Mr Offer.

The Chair: It may well have. I don't have it in the set of motions I've got. The clerk doesn't have a copy of it, either. Could you give me a copy of that, please? Thank you.

Ms Murdock defers her motion in favour of Ms Witmer's motion that section 9.2 of the act, as set out in section 10 of the bill, be struck out and the following substituted:

"Certification where act contravened

"If an employer or employer's organization contravenes this act so that the true wishes of the employees of the employer or of a member of the employer's organization are not likely to be ascertained, and, in the opinion of the board, a trade union has membership support adequate for the purposes of collective bargaining in a bargaining unit found by the board to be appropriate for collective bargaining, the board may, on the application of the trade union, certify the trade union as a bargaining agent of the employees and the bargaining unit."

Mrs Witmer: Of the 94 amendments that the PC Party has introduced, this is our number 33. The intent of this particular amendment is to maintain the adequate support—

The Chair: Please, Ms Witmer, I wasn't here, as you know, on Thursday. I trust that somebody's raising the issue that this motion was moved by Mr Turnbull on Thursday and defeated after a vote. It was moved prior to Mr Offer's motion.

Mr Offer: That's my recollection, Mr Chair.

Mr Randy R. Hope (Chatham-Kent): Then the motion is no longer in order.

The Chair: That's not to say that I wasn't here on Thursday, but I had to leave early to—

Mr Hope: Yes, it was a privilege to sit in your place.

Mr Len Wood (Cochrane North): You were here most of the time. You just slipped out—

Mr Offer: Could we deal with the bill?

The Chair: Is there any concern on your part, Ms Witmer, that the motion had been dealt with, having been moved by Mr Turnbull?

Mrs Witmer: Mr Turnbull doesn't have a note to that effect. I'm sorry; I wasn't here Thursday either. Anyway, if that's the case, we're certainly agreeable to proceeding.

1550

The Chair: In favour were Turnbull, Offer; opposed were Murdock, Hayes, Klopp, Ward and Wood. It was October 15, 1992. Thank you.

We're back to Ms Murdock's motion.

Ms Murdock: Very briefly, in the last line, to have "applied to become a member" is the only difference in this section. It's to cover the fact that the definition of "member" was deleted.

The Chair: Thank you. Is there any further debate? There being no further debate, all those in favour, please indicate. Opposed?

Ms Murdock's motion is carried.

Mr Turnbull moves that section 12 of the bill be struck out. That's out of order.

Ms Witmer moves that section 12 of the bill be struck out. That's out of order.

Ms Witmer moves, in her PC motion, alternate 2, that section 11.1 of the act, as set out in section 12 of the bill, be amended by adding the following subsection:

"Exception

"(1.1) This section does not apply with respect to schools and other property owned or occupied by a board of education."

Mrs Witmer: This amendment, of course, refers to picketing and organizing on third-party property, and it's an issue I spoke to today in the House. However, this specific amendment would prevent union organizers and picketers from having access to schools and other board property. As you probably know, this has been a real concern for the Ontario Public School Boards' Association as it takes a look at the possible impact of Bill 40 on the children in the learning environment within schools. School boards are extremely concerned that school property could be regarded as property "to which the public normally has access." This amendment which we have proposed clarifies that these provisions which allow third-party picketing do not apply to schools and other board property to which the public has access. This amendment, then, would prevent union organizers and picketers from having access to schools and other board property.

Mr Offer: I was hoping that in the brief time permitted to us, we would still be able to get to this section. Certainly I understand very much the motion made by Ms Witmer. We heard during our public hearings a great deal of concern not only by the school boards, but by a variety of individuals as to how this section is going to apply.

In my mind, there is no other choice but to strike down this section. I will tell you why as I speak to Ms Witmer's motion. I understand that the government has set up a task force to look at the issue of picketing in organizing and strike-related activities on private property. I was wondering if we might get a confirmation of that.

Ms Murdock: I believe we're going ahead with a task force under the Attorney General's office to look at the legalities.

Mr Offer: Whatever ministry you go under, that makes the point. What you are doing is going forward with a section that Ms Witmer is attempting to amend and

acknowledging that you do not know the implications. The evidence of that is the fact that you are setting up a task force to look into the implications of something you are doing. Surely the most responsible approach is to hold down the whole section until the task force has responded, reported, and dealt with the issues such as the school boards and such as many of the licensed operations in this province.

I'll speak in favour of Ms Witmer's motion, but I must tell you that the best way to deal with this section is to just vote this whole thing down, wait for the task force to report, and then introduce a section which is responsive to a task force which you yourself have created.

The Chair: There being no further debate, all those in favour of Ms Witmer's motion?

Mr Offer: A recorded vote.

The Chair: Recorded vote.

Ayes

Offer, Witmer.

The Chair: Opposed, please?

Nays

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Ms Witmer's motion is defeated.

Ms Witmer moves that subsections 11.1(2) to (7) of the act, as set out in section 12 of the bill, be struck out and the following substituted:

"Right of access re organizing

"(2) On application, the board may authorize the employees and representatives of the trade union to be present on premises described in subsection (1) for the purpose of attempting to persuade employees to join a trade union. Attempts to persuade the employees may be made only at or near but outside the entrances and exits to the employees' workplace.

"Right of access re picketing

"(3) On application during a lockout or lawful strike, the board may authorize individuals to be present on premises described in subsection (1) for the purpose of picketing, in connection with the lockout or strike, the operations of an employer or a person acting on behalf of an employer. The picketing may occur only at or near but outside the entrances and exits to the operations.

"Factors

"(4) In an application under subsection (2) or (3), the board may take into account such factors as it considers appropriate and shall consider,

"(a) the type of activity for which access is being requested and whether the activity will unduly disrupt the operations of the enterprise;

"(b) the hours for which access is sought; and

"(c) the kind of invitation extended to the public to be present at the premises.

"Prohibition

"(5) No person shall interfere with the exercise of a right given under subsection (2) or (3)."

Mrs Witmer: The intent of this motion, again concerning organizing and picketing on third-party property, is

to empower the board to consider certain factors before granting access to third-party property. As we've done in the past for each section, we have come forward with several alternatives in response to the concerns that have been put before us this summer.

In considering the application, the board would be empowered to grant access to third-party property based on a number of factors they would have to take into serious consideration, the first being whether there are any other avenues open to the union to communicate with the employees for the purposes of organizing, or with the customers and clients of the employer for the purposes of picketing, that do not intrude on the private property rights of the third party.

As we know, this Bill 40, section 12, violates the rights of third-party owners and also the innocent public and consumers. So we're saying, let's take a look at other avenues, and if they're available let's use those other avenues and avoid this picketing on third-party property.

As to the other factor, the type of activity for which access is being requested and whether it will unduly disrupt the operations of the enterprise, it is absolutely essential that the board consider that particular factor.

Also, the board needs to take a look at the hours during which access is requested. At the present time, it appears that access is for 24 hours of the day. Certainly, if that's to happen, third-party property owners are going to be placed in a position where they're going to have to incur additional costs in the areas of maintenance and security.

Finally, the other factor that the board would be empowered to consider in granting access to third-party property would be the kind of invitation extended to the public to attend at the premises.

So third-party access, according to the amendment I've put forward, would only be granted on application to the board. The board could place restriction on organizing and picketing activity to protect the interests of the third-party property owner. I believe it's absolutely essential that the innocent third-party property owner, his rights, her rights, be taken into consideration. This is what this amendment would be intended to do.

The Chair: Thank you, Ms Witmer. The order of the House under which we are currently operating requires that at this time I am obligated to interrupt the committee's proceedings and put every question necessary to dispose of every amendment and every section of Bill 40.

All amendments that were filed with the clerk of the committee by 4 pm last Thursday and not yet moved are deemed to be moved at this point. All members of the committee have a package at their places that includes each and every amendment so filed with the clerk of the committee.

It is my intention to interpret the order of the House on July 14, 1992, such that one wait of 20 minutes pursuant to standing order 128(a), if requested by any member, will be entertained at the outset of this process so that each caucus may assemble its members for the upcoming votes on the deemed amendments and on the sections of the bill.

The order of the House further provides that any recorded divisions on the deemed amendments and on the

sections of the bill shall be deferred until all questions have been put. It will be my intention to allow one further 20-minute wait pursuant to standing order 128(a), if requested by any member, at the point at which recorded votes on deferred divisions are set to commence.

I wish to point out that the order of the House prohibits any debate or any further amendment on any of the questions I will be calling henceforth. For the convenience of the members of the committee and Hansard I have provided a copy of the script I will be using to deal with all outstanding amendments and sections to the bill.

It is my interpretation of the order of the House that, having begun this voting process, the Chair is obligated to continue until all questions have been dealt with, regardless of the clock.

1600

Mr Offer: Mr Chair, just a further clarification: I thank you for the script that's going to be followed. There are, as we know, a number of amendments that not only have not been discussed, but the wording of the amendments have not even been read in. Is it my understanding from your explanation that these motions, the words of the motion, will not even be read, it will just be the number?

The Chair: They're deemed to have been moved, which means they're deemed to have been read.

Mr Offer: And we are expected to vote yes or no without hearing what they have to say.

The Chair: Yes, sir.

Mr Offer: It sounds pretty responsible, eh?

The Chair: Shall section 1 of the bill carry?

Mr Offer: Just one moment. I just would ask, Mr Chair, for five minutes in order to get these sections in order.

Mr David Turnbull (York Mills): Mr Chair, I would ask that all of these votes be recorded.

The Chair: Thank you. Each and every vote shall be recorded. That means that when the question is called, persons in favour shall raise their hands and keep their hands raised until their names are called, and when people are queried as to opposition, they will similarly raise their hands and keep their hands raised until their names are called.

Shall section 1 of the bill carry? This is a recorded vote. I indicated raise your hands and keep your hands raised until your name is called.

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Offer, Wood.

The Chair: Opposed?

Nays

Turnbull, Witmer.

The Chair: Shall section 2 of the bill carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall section 3 of the bill carry? In favour?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall section 4 of the bill carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall section 5 of the bill, as amended, carry? In favour?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall section 6 of the bill carry? In favour?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall the deferred PC amendment to section 7(2)(4) carry?

Ayes

Offer, Turnbull, Witmer.

The Chair: Opposed?

Nays

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Shall section 7 of the bill, as amended, carry? In favour?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall section 8 of the bill, as amended, carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall section 9 of the bill carry? In favour?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall section 10 of the bill, as amended, carry? In favour?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall section 11 of the bill, as amended, carry? In favour?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall the PC amendment to section 12 of the bill, subsections 11.1(2) to (7) of the act, carry? The three intervening matters have already been dealt with. In favour?

Ayes

Offer, Turnbull, Witmer.

The Chair: Opposed?

Nays

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Shall the government amendment to section 12 of the bill, subsection 11.1(2) of the act, carry? In favour?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall the PC amendment to section 12 of the bill, subsection 11.1(4.1) of the act, carry?

Ayes

Offer, Turnbull, Witmer.

The Chair: Opposed?

Nays

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Shall the PC amendment to section 12 of the bill, subsection 11.1(6) and (7) of the act, carry?

Ayes

Offer, Turnbull, Witmer.

The Chair: Opposed?

Nays

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Shall the government amendment to section 12 of the bill, subsection 11.1(6.1) of the act, carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall section 12 of the bill, as amended, carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: The Liberal motion to strike out section 13 of the bill is not in order.

The PC motion to strike out section 13 of the bill is not in order.

Shall sections 13 through 18 carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: The PC motion to strike out section 19 of the bill is not in order.

Shall the PC amendment to section 19(1) of the bill, subsections 41(1) to (1.3) of the act, carry?

Ayes

Offer, Turnbull, Witmer.

The Chair: Opposed?

Nays

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Shall the PC amendment to section 19(1) of the bill, clause 41(1.2)(c) of the act, carry?

Ayes

Offer, Turnbull, Witmer.

The Chair: Opposed?

Nays

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Shall section 19 of the bill carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: The PC motion to strike out section 20 of the bill is not in order.

Shall the PC amendment to section 20 of the bill, subsection 41.1(1.1) of the act, carry?

Ayes

Offer, Turnbull, Witmer.

The Chair: Opposed?

Nays

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Shall the government amendment to section 20 of the bill, subsection 41.1(5) paragraph 5 of the act, carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall the government amendment to section 20 of the bill, subsection 41.1(5) paragraph 7 of the act, carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall the PC amendment to section 20 of the bill, subsection 41.1(6.1) of the act, carry?

Ayes

Offer, Turnbull, Witmer.

The Chair: Opposed?**Nays**

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Shall the government amendment to section 20 of the bill, subsection 41.1(7) of the act, carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?**Nays**

Offer, Turnbull, Witmer.

The Chair: Shall section 20 of the bill, as amended, carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?**Nays**

Offer, Turnbull, Witmer.

The Chair: Shall the PC amendment to section 21 of the bill, subsections 43.1(1) and (2) of the act, carry?

Ayes

Offer, Turnbull, Witmer.

The Chair: Opposed?**Nays**

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

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The Chair: Shall the government amendment to section 21 of the bill, subsection 43.1(1) of the act, carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?**Nays**

Offer, Turnbull, Witmer.

The Chair: Shall the PC amendment to section 21 of the bill, subsection 43.1(2) of the act, carry?

Ayes

Offer, Turnbull, Witmer.

The Chair: Opposed?**Nays**

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Shall the PC amendment identified as alternate 2 to section 21 of the bill, subsection 43.1(2) of the act, carry?

Ayes

Offer, Turnbull, Witmer.

The Chair: Opposed?

Nays

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

Mr Offer: We can't interrupt these proceedings for anything, can we?

The Chair: No, sir. Shall the government amendment to section 21 of the bill, subsection 43.1(5) of the act, carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall section 21 of the bill, as amended, carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Opposed?

Nays

Offer, Turnbull, Witmer.

The Chair: Shall section 22 of the bill carry?

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Turnbull, Witmer, Wood.

The Chair: Opposed?

Nays

Offer.

The Chair: If people would do the clerk the courtesy of turning their nameplates towards the clerk. Thank you.

Shall the PC amendment to section 23(1) of the bill, subsection 45(2) of the act, carry?

Mr Offer: Mr Chair, is it possible there's a same vote that that be instituted as opposed to doing this stuff?

The Chair: Quite right.

Mr Offer: It's crazy what we're doing.

The Chair: I suspect on this one you'd want to indicate same vote reversed?

Mr Offer: Yes, well—

The Chair: Same vote reversed?

Mr Offer: No, no, we might have to have a vote on this one, to be frank with you.

The Chair: Shall the PC amendment to section 23(1) of the bill, subsection 45(2) of the act carry?

Ayes

Offer, Turnbull, Witmer.

The Chair: Opposed?

Nays

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

The Chair: Shall the government amendment to section 23(3) of the bill, subsection 45.6(3) of the act, carry? Same vote reversed.

Shall the PC amendment to section 23(3) of the bill, subsection 45(8) of the act, carry? Same vote.

Mr Turnbull: Reversed to the last one.

The Chair: Shall the PC amendment to section 23(3) of the bill, subsection 45(8) paragraph 3 of the act, carry? Same vote.

Shall the government amendment to section 23(3) of the bill, subsection 45(8) paragraph 4 of the act, carry? Same vote reversed.

Shall the government amendment to section 23(3) of the bill, subsection 45(8.1) paragraph 2 of the act carry? Same vote.

Shall the PC amendment to section 23(3) of the bill, subsection 45(8.1) paragraphs 2 to 4 of the act, carry? Same vote reversed.

Shall the government amendment to section 23(3), subsection 45(8.1) paragraph 6 of the act carry? Same vote reversed.

Shall section 23 of the bill, as amended, carry?

Mr Offer: No.

Ms Murdock: Same vote.

Interjections: Same vote.

The Chair: Same vote.

Shall sections 24 and 25 of the bill carry? Same vote.

Mr Offer: I understand why you wouldn't want this on the record.

The Chair: The government amendment to section 25.1 of the bill, clause 47(2)(c) of the act, is not in order as it seeks an amendment to a section of the act not being amended by a section of the bill. Is there unanimous consent to proceed with a vote on this, notwithstanding that it is not in order?

Mr Offer: Unfortunately I can't do that.

The Chair: Thank you.

Shall the government amendment to section 26 of the bill, section 49.1 of the act, carry? Same vote.

Shall section 26 of the bill, as amended, carry? Same vote.

Shall the PC amendment to section 26.1 of the bill carry? Same vote reversed.

Shall the government amendment to section 27(1) of the bill, subsection 58(1) of the act, carry? Same vote reversed.

Shall the PC amendment to section 27(2) of the bill, subsections 58(2) and (3) of the act, carry? Same vote reversed.

Shall the PC amendment to section 27(3), subsection 58(3.1) of the act, carry? Same vote.

Shall section 27 of the bill, as amended, carry? Same vote reversed.

Shall section 28 of the bill carry? Same vote.

The PC motion to strike out section 29 of the bill is not in order.

Shall section 29 of the bill carry? Same vote.

The PC motion to strike out section 30 of the bill is not in order.

Shall section 30 of the bill carry? Same vote.

The PC motion to strike out section 31 of the bill is not in order.

Shall the government amendment to section 31 of the bill, subsection 64.2(5) of the act, carry? Same vote.

Shall section 31 of the bill, as amended, carry? Same vote.

The PC motion to strike out section 32 is not in order.

Shall the PC amendment to section 32 of the bill, subsection 73.1(1) of the act, carry? Same vote reversed.

Shall the government amendment to section 32 of the bill, subsection 73.1(1) of the act, carry? Same vote reversed.

Shall the PC amendment to section 32 of the bill, subsection 73.1(1.1) of the act, carry? Same vote reversed.

Shall the PC amendment to section 32 of the bill, subsection 73.1(2) of the act, carry? Same vote.

Shall the Liberal amendment to section 32 of the bill, subsection 73.1(2) of the act, carry? Same vote.

Shall the PC amendment to section 32 of the bill, subsection 73.1(2.1) of the act, carry? Same vote.

Shall the PC amendment to section 32 of the bill, subsection 73.1(3) of the act, carry?

Mr Turnbull: That should be the Liberal amendment. That's section 32 of the bill, subsection 73.1(2).

Ms Murdock: No, we've already passed that.

Mr Turnbull: Okay, sorry, but it should have read "Liberal."

Ms Murdock: He did say "Liberal."

The Chair: Shall the PC amendment to section 32 of the bill, subsection 73.1(3) of the act, carry? Same vote.

Shall the government amendment to section 32 of the bill, subsection 73.1(3) of the act, carry? Same vote reversed.

Shall the PC amendment to section 32 of the bill, subsection 73.1(4) of the act, carry? Same vote reversed.

Shall the PC amendment to section 32 of the bill, subsection 73.1(5) of the act, carry? Same vote.

Shall the PC amendment identified as "alternate 2" to section 32 of the bill, subsection 73.1(5) of the act, carry? Same vote.

Shall the PC amendment identified as "alternate 3" to section 32 of the bill, subsection 73.1(5) of the act, carry? Same vote.

Shall the government amendment to section 32 of the bill, subsection 73.1(5) of the act, carry? Same vote reversed.

Shall the PC amendment to section 32 of the bill, subsection 73.1(6) of the act, carry? Same vote reversed.

Shall the PC amendment identified as "alternate 2" to section 32 of the bill, subsection 73.1(6) of the act, carry? Same vote.

Shall the government amendment to section 32 of the bill, subsection 73.1(6) of the act, carry? Same vote reversed.

Shall the government amendment to section 32 of the bill, subsection 73.1(6) of the act, carry? Same vote.

Shall the PC amendment to section 32 of the bill, subsection 73.1(6.1) of the act, carry? Same vote reversed.

Shall the PC amendment to section 32 of the bill, subsections 73.1(7) and (8) of the act, carry? Same vote.

Mrs Witmer: Mr Chairman, do you want to read, "With the exception of...the vote is such"? Do you really want to go through this charade?

The Chair: No. You asked a question, and I gave you an answer. The answer is no, but we have to, okay? We're required to.

Mrs Witmer: There are a few sections where we would support the government. If you want to know which they are, I can let you know, and the rest we're opposed to. We only support four more sections. You can do a lot of reading.

The Chair: I'm girded for that.

Mrs Witmer: Are you?

The Chair: But this is what has to be done.

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Ms Murdock: Would it require unanimous consent to do that?

The Chair: We have a motion that has been passed by the House. We are restricted, in my view, to doing what that motion tells us, what we can or can't do. I'm trying to make this as painless as possible.

If somebody wants to administer Novocaine, God bless.

Mr Offer: Continue on, Mr Chair; you're doing a good job. I understand the problem, but is it outside of the rules to just take the script as read and deal with the sections that wish to be discussed?

The Chair: We've got to proceed with the votes on each and every one of these without debate.

Shall the PC amendment to section 32 of the bill, subsection 73.1(8.1) of the act, carry? Same vote.

Shall the PC amendment to section 32 of the bill, subsection 73.1(9) of the act, carry? Same vote.

Shall the PC amendment to section 32 of the bill, sections 73.2 and 73.3 of the act, carry? Same vote.

Shall the government amendment to section 32 of the bill, subsection 73.2(1) of the act, carry? Same vote reversed.

Shall the PC amendment to section 32 of the bill, subsection 73.2(2) of the act, carry? Same vote reversed.

Shall the government amendment to section 32 of the bill, subsection 73.2(2) paragraph 6.1 of the act, carry? Same vote reversed.

Shall the PC amendment to section 32 of the bill, subsections 73.2(7) to (10) of the act, carry? Same vote reversed.

Shall the government amendment to section 32 of the bill, subsection 73.2(8.1) of the act, carry? Same vote reversed.

Shall the government amendment to section 32 of the bill, subsection 73.2(11) of the act, carry? Same vote.

Shall the government amendment to section 32 of the bill, subsection 73.2(15.1) of the act, carry? Same vote.

Shall the government amendment to section 32 of the bill, subsection 73.2(18) of the act, carry? Same vote.

Shall the government amendment to section 32 of the bill, subsection 73.2(20) of the act, carry? Same vote.

Shall the PC amendment to section 32 of the bill, section 73.3 of the act, carry? Same vote reversed.

Shall section 32 of the bill, as amended, carry? Same vote reversed.

The PC amendment to section 32.1 of the bill, subsections 74(2.1) and (4.1) of the act, is not in order as it seeks an amendment to a section of the act not being amended by a section of the bill. This motion may be accepted if there is unanimous consent. Is there unanimous consent?

Mr Huget: No. Sorry.

The Chair: Thank you. The Liberal motion to strike out section 33 of the bill is not in order.

The PC motion to strike out section 33 of the bill is not in order.

Shall section 33 of the bill carry? Same vote.

The PC motion to strike out section 34 of the bill is not in order.

Shall the PC amendment to section 34 of the bill, subsection 81.1(1) of the act, carry? Same vote reversed.

Shall the PC amendment to section 34 of the bill, subsection 81.1(2.1) of the act, carry? Same vote.

Shall the government amendment to section 34 of the bill, subsection 81.1(3) of the act, carry? Same vote reversed.

Shall the PC amendment to section 34 of the bill, subsection 81.1(3.1) of the act, carry? Same vote reversed.

Shall the government amendment to section 34 of the bill, subsection 81.1(4) of the act, carry? Same vote reversed.

Shall section 34 of the bill, as amended, carry? Same vote.

Shall the government amendment to section 35 of the bill, subsection 81.2(1) of the act, carry? Same vote.

Shall the government amendment to section 35 of the bill, subsection 81.2(1.1) of the act, carry? Same vote.

Shall the PC amendment to section 35 of the bill, subsection 81.2(2) of the act, carry? Same vote reversed.

Shall section 35 of the bill, as amended, carry? Same vote reversed.

Shall the government amendment to section 36(1) of the bill, clause 91(4)(d) of the act, carry? Same vote.

Shall the PC amendment to section 36(1) of the bill, clause 94(4)(d) of the act, carry? Same vote reversed.

Shall the government amendment to section 36(2) of the bill, subsection 91(4.1) of the act, carry? Same vote reversed.

Shall section 36 of the bill, as amended, carry? Same vote.

The PC motion to strike out section 37 of the bill is not in order.

Shall the PC amendment to section 37 of the bill, section 92.1 of the act, carry? Same vote reversed.

Shall the government amendment to section 37 of the bill, subsection 92.1(1) of the act, carry? Same vote reversed.

Shall the government amendment to section 37 of the bill, subsection 92.2(4) of the act, carry? Same vote.

Shall section 37 of the bill, as amended, carry?

Mr Offer: This is the expeditious hearing?

The Chair: Section 37.

Mr Offer: Yes, this is the expeditious hearing.

The Chair: I'll put the question. Shall section 37 of the bill, as amended, carry? All in favour, please keep your

hand raised until your name is called. Shall section 37 of the bill, as amended, carry?

Mr Hope: We already did, didn't we?

Ms Murdock: I thought we'd already done that.

Mr Hope: Are we backing it up now?

The Chair: No, you're not backing it up.

Ms Murdock: We haven't voted. The vote has not been recorded.

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Offer, Wood.

Nays

Turnbull, Witmer.

The Chair: Shall the government amendment to subsection 38(1) of the bill, subsection 93(1) of the act, carry? All in favour, please indicate.

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Offer, Turnbull, Witmer, Wood.

The Chair: Opposed?

Shall the government amendment to subsection 38(6) of the bill carry? All those in favour, please indicate.

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Offer, Turnbull, Witmer, Wood.

The Chair: Any opposed?

Shall section 38 of the bill, as amended, carry? All in favour, please indicate.

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Offer, Turnbull, Witmer, Wood.

The Chair: Opposed?

Shall sections 39 and 40 of the bill carry? Please raise your hands.

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

Nays

Offer, Turnbull, Witmer.

The Chair: Shall the government amendment to section 41 of the bill, section 102 of the act, carry? Same vote.

Shall section 41 of the vote, as amended, carry? Same vote.

Shall the government amendment to subsection 42(1) of the bill carry? Same vote.

Shall the government amendment to subsection 42(4) of the bill carry? Same vote.

Shall the government amendment to section 42(5) of the bill, subsections 104(13.1) to (14.3) of the act, carry? Same vote.

Shall the PC amendment to section 42(5) of the bill, clause 104(14.1)(a) of the act, carry? Same vote reversed.

Shall section 42 of the bill, as amended, carry? Same vote reversed.

Shall section 43 of the bill carry? Same vote.

Shall the government amendment to section 44 of the bill, subsection 109(2) of the act, carry? Same vote.

Shall section 44 of the bill, as amended, carry? All those in favour of section 44 of the bill, as amended, please indicate.

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Offer, Turnbull, Witmer, Wood.

The Chair: Shall sections 45 and 46 of the bill carry? Please raise your hands.

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

Nays

Offer, Turnbull, Witmer.

The Chair: Shall the government amendment to section 47 of the bill, subsection 113.1(1) paragraph 2 of the act, carry? Same vote.

Shall section 47 of the bill, as amended, carry? Same vote.

Shall sections 48 and 49 of the bill carry? Same vote.

Shall the government amendment to section 50(2.1) of the bill, clause 118(k) of the act, carry? Same vote.

Shall the Liberal amendment to section 50(3) of the bill carry? Same vote reversed.

The identical PC motion is out of order.

Shall the government amendment to section 50(3) of the bill, clause 118(k.3) of the act, carry? Same vote reversed.

Shall section 50 of the bill, as amended, carry? Same vote.

Shall the government amendment to section 51 of the bill carry? Same vote.

Shall section 51 of the bill, as amended, carry? Same vote.

Shall sections 52 to 56 of the bill, inclusive, carry? Same vote.

Shall the government amendment to section 57 of the bill, subsection 146(2) of the act, carry?

Shall section 57 of the bill, as amended, carry? Same vote.

The PC motion to strike out sections 58 to 61 of the bill is not in order.

Shall section 58 of the bill carry? Same vote.

Shall the government amendment to section 59 of the bill, subsection 56.5(1) of the act, carry? Same vote.

Shall the government amendment to section 59 of the bill, subsection 56.6(6) of the act, carry? Same vote.

Shall the government amendment to section 59 of the bill, subsection 56.7(2) of the act, carry? Same vote.

Shall the government amendment to section 59 of the bill, subsection 56.8(1) of the act, carry? Same vote.

Shall the government amendment to section 59 of the bill, subsection 56.8(2) of the act, carry? Same vote.

Shall the government amendment to section 59 of the bill, subsection 56.10(1) of the act, carry? Same vote.

Shall the government amendment to section 59 of the bill, subsections 56.10(1), (2) and (5) of the act, carry? Same vote.

Shall the government amendment to section 59 of the bill, subsection 56.10(2) of the act, carry? Same vote.

Shall the government amendment to section 59 of the bill, subsection 56.10(3) of the act, carry? Same vote.

Shall the government amendment to section 59 of the bill, subsection 56.10(4) of the act, carry? Same vote.

Shall the government amendment to section 59 of the bill, subsection 56.10(5) of the act, carry? Same vote.

Shall the government amendment to section 59 of the bill, subsection 56.11(1) of the act, carry? Same vote.

Shall the government amendment to section 59 of the bill, subsections 56.11(2) and (2.1) of the act, carry? Same vote.

Shall the government amendment to section 59 of the bill, subsection 56.11(5) of the act, carry? Same vote.

Shall the government amendment to section 59 of the bill, subsection 56.12 of the act, carry? Same vote.

Shall section 59 of the bill, as amended, carry? Same vote.

Shall sections 60 and 61 of the bill carry? Same vote.

The PC motion to strike out section 62 of the bill is not in order.

Shall sections 62 to 64 of the bill, inclusive, carry? Same vote.

Shall the PC amendment to section 64.1 of the bill carry? Same vote reversed.

Shall section 65 of the bill carry? Same vote reversed.

Shall the bill, as amended, carry? All in favour, please indicate.

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

Nays

Offer, Turnbull, Witmer.

The Chair: Shall the title carry? All those in favour, please indicate.

Ayes

Hope, Huget, Klopp, Lessard, Murdock (Sudbury), Wood.

Nays

Offer, Witmer, Turnbull.

The Chair: Pursuant to the order of the House, the Chair of the committee is required to report the bill to the House at the first available opportunity following the completion by the committee of clause-by-clause consideration of the bill, and the Chair will so do.

I thank you, all of the members of the committee and the staff, for being very cooperative and helpful in making this process function as smoothly as it could or should, perhaps, under all of the circumstances. I'm grateful to you and of course to the staff. We'll adjourn sine die.

The committee adjourned at 1633.

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***Vice-Chair / Vice-Président:** Huget, Bob (Sarnia ND)

Conway, Sean G. (Renfrew North/-Nord L)

Dadamo, George (Windsor-Sandwich ND)

Jordan, Leo (Lanark-Renfrew PC)

***Klopp, Paul (Huron ND)**

McGuinty, Dalton (Ottawa South/-Sud L)

***Murdock, Sharon (Sudbury ND)**

***Offer, Steven (Mississauga North/-Nord L)**

***Turnbull, David (York Mills PC)**

Waters, Daniel (Muskoka-Georgian Bay/Muskoka-Baie-Georgianne ND)

***Wood, Len (Cochrane North/-Nord ND)**

Substitutions / Membres remplaçants:

***Hayes, Pat (Essex-Kent ND) for Mr Huget**

***Lessard, Wayne (Windsor-Walkerville ND) for Mr Waters**

***Witmer, Elizabeth (Waterloo North/-Nord PC) for Mr Jordan**

***In attendance / présents**

Also taking part / Autres participants et participantes:

Kovacs, Jerry, legal counsel, Ministry of Labour

Clerk pro tem / Greffier par intérim: Decker, Todd

Staff / Personnel:

Anderson, Anne, research officer, Legislative Research Service

Spakowski, Mark, legislative counsel



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Subcommittee report

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Deuxième session, 35^e législature

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Mercredi 28 octobre 1992

Comité permanent du développement des ressources

Rapport de sous-comité



Chair: Peter Kormos
Clerk: Tannis Manikel

Président : Peter Kormos
Greffière : Tannis Manikel

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Wednesday 28 October 1992

The committee met at 1700 in committee room 1.

SUBCOMMITTEE REPORT

The Chair (Mr Peter Kormos): There's a quorum present. All caucuses are represented and I want to indicate some of the outstanding business the committee is charged with.

The committee will recall that in April 1991, Dan Waters, on behalf of the government caucus, requested a 123 designation regarding the Workers' Compensation Board. There are 38 minutes remaining in that matter, and we'll speak to that when we talk about the subcommittee report.

In 1991, there was a designation under what is now standing order 125 from the Progressive Conservative caucus regarding a graduated driver's licence system. There has been no earlier request for a 123 or 125 12-hour hearing by the Conservative caucus in 1991. That was their 1991 request as of right. That matter hasn't been dealt with because of intervening government business and because of private bills being outstanding, but it's the government business, of course, which interrupts it.

There were no other caucuses requesting designations in 1991, other than Dan Waters on behalf of the government, and the Conservative caucus. There was the one, of course, that was dealt with and completed on the agriculture issue in Ontario, brought by the Liberal caucus.

In 1992, the Conservative caucus, under standing order 125, sought the 12-hour time frame for discussion of the departure of the president of Ontario Hydro. Again, that's as of right. There had been no earlier designations under 125 or the earlier 123 requested by the Tory caucus or indeed by any other caucus, at least that was outstanding.

Ms Cunningham's private Bill 124 is outstanding and the subcommittee has heard some comments about that and will be reporting on that to the committee in the relatively near future. There's also private member's Bill 141, Ron Hansen's bill, An Act to amend the Ontario Water Resources Act, and Bill 82, a private member's bill by Steve Owens, An Act to amend the Employment Standards Act and the Workers' Compensation Act.

With respect to the fact that there's a 1991 designation outstanding which hasn't been dealt with, a request by the Conservative caucus, a 123/125 designation, that was brought in the late part of the year, in November 1991. It clearly wasn't going to be dealt with in 1991 because of government business and the fact that the House was soon to break.

Then a subsequent one was brought legitimately within 1992, without having dealt with the earlier one. There was some concern with the rules not indicating whether you had to exhaust or utilize your first 12-hour time period before you could go to a subsequent one. Standing order 125 states:

"In any calendar year, each member, other than the Chair, of a subcommittee on committee business...shall be entitled to designate,

"(i) matters to be considered by the committee relating to the mandate, management, organization or operation of a ministry, office or agency, board or commission assigned to the committee."

The standing order, as indicated, does not address the issue of whether or not the designated matter must be considered in that calendar year or of whether or not they are cumulative. I'm advised that the practice by committees since this provision was established in the standing orders has been that while only one matter may be designated by each party in a calendar year, there is no requirement to have the matter considered by the committee in the calendar year or in the session in which the matter was designated.

As well, I'm satisfied that they do not have to be dealt with consecutively in the order that they are brought, that this is the decision of the committee. In this instance, there was unanimous agreement that notwithstanding that the 1991 designation on graduated licences was outstanding, the Conservative caucus's request for its 125 designation regarding the departure of the president of Ontario Hydro could be dealt with earlier, which is why the subcommittee now makes this report.

The subcommittee met yesterday and again today to discuss the committee's agenda with regard to the standing order 125 designations before the committee. It was agreed that senior officials from the Workers' Compensation Board would be invited to attend the committee meeting next week on either Monday or Wednesday, depending upon their availability, to review the report they submitted in response to the standing order 125 designation discussed last year. There are 38 minutes remaining under that designation.

The subcommittee also discussed the standing order 125 designation tabled on October 15, 1992, by the Progressive Conservative member dealing with the departure of the president of Ontario Hydro. The subcommittee agreed to start consideration of this matter on Monday, November 16, 1992, with the usual timing in the day.

The subcommittee agreed, by unanimous consent, to hear from the following witnesses: Brian Charlton, Minister of Energy; Marc Eliesen, former chair and chief executive officer of Ontario Hydro; and R.M. Mathur, member of board of directors of Ontario Hydro.

The majority of the subcommittee agreed to hear from the following four members of the board of directors only: Michael Cassidy, K.C. Cummings, James Hinds and James O'Brien.

The majority of the subcommittee agreed to hear from the following witnesses: George Davies, deputy minister; David Agnew, secretary of cabinet and former principal

secretary to the Premier; Al Holt, former president of Ontario Hydro, and Phil Carter, executive assistant to Eliesen.

If Mr Holt, the former president, is not available, then Mr Rod Taylor would be called upon to testify in his stead. The witnesses will be invited for a maximum of one hour each and the time is to be divided equally among the three parties for questioning. There is to be no time allowed for preliminary comments by witnesses. Any time remaining, if time is not fully utilized by the three caucuses' questioning, will be allocated at the decision of the subcommittee. Any witnesses may be recalled at the direction of the subcommittee for a further one hour, maximum.

The clerk has been instructed to obtain a legal opinion on conflict positions of the directors, as it relates to the Business Corporations Act and the Power Corporation Act and an opinion from the commissioner of freedom of information on the request for documents from Ontario Hydro as they relate to, among other things, pay records, termination agreement and records relating to a termination agreement with respect to Mr Holt, ongoing terms of employment of Mr Holt and any agreement regarding a non-communication or, colloquially, muzzling or gag order as it applies to Mr Holt or the parties related to his termination agreement.

The committee will have a minimum of one hour for report preparation.

Is there any valid reason why the report of the subcommittee, as it relates to either of these 125 designations, Workers' Compensation Board or the matter concerning the departure of Al Holt from Ontario, should not be deemed to be accepted?

1710

Mr Dalton McGuinty (Ottawa South): Just one point: I think you said James O'Brien. There are undoubtedly half a dozen James O'Briens working over there, but Joseph O'Brien is the guy we're after.

The Chair: I didn't say "James" and if any heard me say "James" they misunderstood me, including Hansard, because I said "Joseph O'Brien," Ontario Hydro board of directors.

Mr McGuinty: Okay.

Mr Paul Klopp (Huron): A point of clarification on how decisions are made about, say, our caucus has a 123 and then all of a sudden I have a better idea and I want a 123 to go above it: Does the committee as a whole vote on that, or is it the decision of the Chair or is it just an automatic thing if the party itself wants—

The Chair: In this instance there was unanimous consent, so it doesn't have to concern either me or the committee as to how it happens next time. Obviously, people may want to make any number of arguments as to whether it's the right of the person or the caucus making the designation, or whether it's the obligation of the subcommittee or of the committee. In this instance, since there was unanimous consent, I haven't had to decide as to how it would take place where there isn't unanimous consent—

Mr Klopp: In the subcommittee, there was unanimous consent?

The Chair: No. In this committee, there was unanimous consent.

Mr Bob Huget (Sarnia): On the 15th.

The Chair: On the 15th.

Mr Klopp: Do we have records from that meeting?

The Chair: In Hansard.

Mr Klopp: I recall questioning a number of times, if it's a vote, can we vote no? I was under the impression that it's one of those things that is automatically on track. That's why I'm just asking for clarification for next time.

The Chair: I recall your questions and they flowed from my less-than-precise manner of presenting the report of the subcommittee, which I correctly presented today, which is to merely request if there are any valid reasons why it should not be deemed to be reported. Your concerns were about the deeming of a subcommittee report, not about the sort of hierarchy of 125 designations.

I specifically sought and obtained unanimous consent regarding the hierarchy of the outstanding 125 designations of the Conservative caucus, which eliminated any need to consider the order.

Mr Huget: That's right. In other words, what you're saying is that on October 15 you did in fact receive unanimous consent from this committee to alter, I suppose, or elevate the recent 125 from the Conservative Party up into some other area where it wouldn't normally be, because there are other matters before the committee.

The Chair: Quite right. I do not have to concern myself whether they have to be dealt with in chronological order, so I don't have to concern myself with that in this instance and neither does the committee. Down the road it may have to.

That's deemed to have been adopted.

Any other matters to deal with?

Mr Randy R. Hope (Chatham-Kent): Mr Chair, you make reference to the October 15 date. Maybe I wasn't here but I don't remember voting on something of that nature.

The Chair: You didn't have to, because the 123/125 order is deemed unless there is valid reason not to, and there wasn't any presented.

Mr Hope: But the question wasn't called for any deeming through the direction of the Chair. The Chair never said, "Is it deemed that this is inappropriate?" That question was never put forward to us.

The Chair: No, because deeming means precisely that: There's no question.

Mr Hope: But the Chair never directed that to the members of this committee.

The Chair: The Chair doesn't have to. I did it today as a courtesy and I intend to do it like that in the future.

Mr Klopp: Is there no way of laying down a policy? I guess that's where I'm coming from, for down the road on any other committee, if there is a 123 or 125, that there is a standard procedure for all parties to know.

The Chair: The procedure isn't laid out. I didn't present the matter as clearly as I should have the last time

it was presented. Today I believe I have presented it as clearly as I can think of presenting it, and that is to say, the standing orders say it's deemed once the subcommittee makes that report, as it has now.

Obviously, if there's a valid reason why it shouldn't be deemed, there should be an opportunity to raise that. So I've decided today—this democracy business has its shortcomings, maybe again, inviting problems that I'm foolish to invite, but wanting to make sure that everybody has an opportunity to speak to—I'm not being critical—the propriety of it.

Mr Klopp: Well, I agree with that.

The Chair: But I'm deciding, every time I have to deal with one, to invite people to object to the deeming of it in the event that they want to raise a valid objection to the deeming of it. If there's some procedural wrongdoing or problem, I think people should have a right to do that, and I don't think it should just be slid through—

Mr Klopp: I agree with that. I just wonder if it should be thought about in a committee, put it in there. Other groups or other Chairs are maybe not as democratic as what you would be.

The Chair: Bless you.

Mr Hope: Just so I can get this clear. The Chair had made an error in the previous—

The Chair: No.

Mr Hope: No. I just want some clarification.

The Chair: I'm glad you're giving the Chair the opportunity to indicate that, far from erroneous, the Chair has had a chance to reflect on a more precise and clearer way of doing this.

There's something beautiful about simplicity and directness. I haven't seen a whole lot around here for the last two years, but there's something beautiful about it. Obfuscation is to be avoided at all costs. Thank you, Mr Hope. It's such a real pleasure to do business with you.

Mr Hope: Why I raise that is because you said the committee—and I know I was here in good mind and good thoughts, and when you say that the committee accepted it, and I'm sitting there questioning—I don't remember voting. I remember the presentation being made, and I remember the Chair didn't know what was going on or wasn't sure of the process—excuse the expression—and that's the last I heard of it until today. Today we come in and we find out that it's the policy or direction that we're going now.

The Chair: No, it's my decision as to how to present that. Again, if people have a better way of doing it—I reflected on how I had done it last time, and I wasn't happy with how I had done it. Again, being self-critical is a nice thing to have to submit to once in a while. But I was self-critical; I agree with you. Today I'm satisfied that we've done it well.

Yes, Mr Hugot.

Mr Hugot: I'm just on a bit of an information search, I suppose, if you will. It would appear that the members who gave unanimous consent on October 15—at least one or two of them—may have been confused on what they

were given unanimous consent to. That is becoming a little obvious by some of the statements that are being made today.

I just wonder, from my own perspective, I suppose, what the procedure would be in dealing with that issue, when in fact people have given unanimous consent and perhaps they didn't know to what they were giving unanimous consent. If that's the case, what would be the procedure to undo what they unwittingly did?

The Chair: Okay. In this instance, it's for me to determine as Chair that whether or not you give unanimous consent, I'm going to rule that there is no chronological hierarchy, and that it is the prerogative of the person doing the 123/125 application to determine the order in which they're heard. I didn't want to have to do that, but I am determining that, and if anybody objects to that, they should move a reference to the Speaker. That is what I understand the Conservative caucus is doing. Thank you.

Mr Klopp: Since you're ready to admit and just maybe for my clarification, the other day it was mass confusion, and it was stated poorly, about which you stated you didn't do a very good job, and it's good to be self-critical. But since that happened that day, that's going to stay that way, but from now on, it's going to be that if my caucus decides that a 123, they want to go up, as a standard procedure, which I agree with, you will ask that there be a vote taken among all the—under discussion.

The Chair: No. There won't even be a request for unanimous consent any more when I'm the Chair, unless the Speaker directs me otherwise, about whether you have to do them in the order that they're presented in. As far as I'm concerned, the persons doing the 123/125 designation have the right to determine the order, as the Conservative caucus determined they're going to do their second one first, the time slot being available to them.

Mr Klopp: Okay. All right. That's fine.

The Chair: That's in view of the fact that there seems to have been some error on the part of members of the committee as to whether or not they gave unanimous consent. Again, it would have been nice to have lived with unanimous consent and not to have to make a ruling so that you're bound by that down the road, but now—

Mr Klopp: Basically, that's what you did two weeks ago.

The Chair: No, that's what I did today.

Mr Klopp: No, that's what you did two weeks ago. I said, "Shouldn't we have a vote," and you said: "No, it's an automatic thing. Their caucus can change that if there's any rule that says not. So we might as well go for it." And I said, "Okay, then there's no point in having a vote." If it's a right, that's fine. I might want to change it. If he's got a 125 on blue cows and I say, "Gee, I want to have one on green cows," that's our business, and that's what you did that day, which is fine. I just want to make it clear so we don't feel like there's a problem here.

The Chair: This transcript is going to be great reading for those people who are punished and have to read these as a term of their punishment. No, Mr Klopp, there wasn't

any consent required with respect to the 123/125 designation. That matter about which unanimous consent was sought and, in my view, obtained, although I'm being advised now that not knowledgeably, was with respect to the Conservatives being able to take their second 123/125 designation precedence over their first one. But since there was confusion about that, I have looked at the matter and I'm prepared to say, "Okay, fine, I don't need unanimous consent because I'm ruling as Chair that they're entitled to do that, which is what they've indicated they want to do." Is that correct?

Mr Klopp: We did that two weeks ago.

Mr Hope: The Chair makes reference to "knowledgeably." I think the direction would be clear direction from the Chair in perspective to a decision process more so than what you've just vocalized from the process, because where the question then lies is the question of private members' bills that were referred to this committee. I say, as you reflect on thoughts about your change of approach to this committee versus when the 125 was put forward to this committee, I'm just wondering, what does that do as far as precedent-setting? It's the future of private members' bills that do not have an opportunity always to get put before us. I just ask for clarification. I'm looking to the Chair for clarification on that.

The Chair: Okay, 123/125s are superseded by government bills. Since they are matters as of right, they are not superseded by private members' bills, be they government private members or opposition party private members. So there was never any quarrel about the outstanding private members' bills, and I'm sorry that I confused the members of the committee by making reference to those. I wanted you to be fully informed about the matters outstanding before the committee. When we're talking about what takes precedence, we weren't talking about what takes precedence over the private members' bills, because we knew, as I'm sure you did, that 123/125 designations have precedence over everything but government bills. So that was never an issue.

This wonderful transcript will reflect the fact that it was an incredible question period and a wonderful sub-committee meeting, and that people were here till 5:30—

Mr Hope: Mr Chair, it wasn't that I was correcting you; I was trying for clarification, because I wouldn't want to refer this Hansard again into the next meeting we go to of a clear definition from the Chair. I just want to make sure that now we ask questions of the Chair instead of looking just clearly at directions from the Chair.

The Chair: The Chair is little more than a glorified timekeeper, and people should understand that. Those of you who chair will know that the Chair is little more than a glorified timekeeper who depends upon members of the committee to be fully informed about the rules and about process.

Mr Huget: Just so I'm clear—I think we could probably move on to other things—but I guess what you're saying, does 123, which is now called a 125, take precedence over Pr124?

The Chair: You got it, member 126. That was as succinctly put as anything was this afternoon. It takes somebody from Sarnia.

Mr Hope: So from now on you refer to it as 125 instead of 123?

The Chair: No, 123/125, for those of us who have a longer history here than you, Mr Hope.

Mr Hope: But I think what you have to do is go by the rules of today.

The Chair: Traditionally, we'll perhaps, for the rest of our careers, think of these as 123s.

Mr Hope: But I think most appropriate, now, I guess, it's now in printed form and is before us and is now 125. I just ask the Chair, for confusion process, that he make reference to 125.

The Chair: Yes, 125s, formerly known as 123s.

Mr Hope: Which is currently 125.

The Chair: You got it. Ten-four. Thank you. We are adjourned until the next time we sit, and there will be notice by the clerk as to Monday or Wednesday of next week.

The committee adjourned at 1725.

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Substitutions / Membres remplaçants:

*Cooper, Mike (Kitchener-Wilmot ND) for Mr Waters

*Hope, Randy R. (Chatham-Kent ND) for Mr Dadamo

*In attendance / présents

Clerk / Greffière: Manikel, Tannis

Staff / Personnel:

Anderson, Anne, research officer, Legislative Research Service



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Subcommittee report

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Comité permanent du développement des ressources

Rapport de sous-comité



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Wednesday 4 November 1992

The committee met at 1601 in committee room 1.

SUBCOMMITTEE REPORT

The Chair (Mr Peter Kormos): We're resuming. The first matter to address is the matter of the 123-125 matter that's pending that was brought by Mr Waters dealing with the Workers' Compensation Board. There are 38 minutes left, as I understand it, to that 123-125 matter. They will, I advise, be dealt with on either of December 7 or December 10, which is a Monday and Wednesday, consecutively. Those are dates on which Mr Di Santo is available and on which he can be here to deal with that and we can conclude that matter.

There is also the matter of a letter received from the Information and Privacy Commissioner of Ontario dated November 4, 1992. It will be filed as an exhibit. Is there any discussion regarding that letter from the Information and Privacy Commissioner of Ontario?

I understand, as well, that there's been a memorandum distributed to the members of the standing committee from Andrew McNaught, research officer, legislative research service, responding to the inquiry on the applicability of the Power Corporation Act, the Business Corporations Act and the Corporations Act to directors of Hydro in the event that they might be called upon to answer certain questions about the communications involved in their role as directors. Is there any discussion about that memorandum?

Mr Bob Huget (Sarnia): Not for me.

The Chair: Thank you. I understand that the subcommittee reached an agreement. Go ahead, Mr Huget, on behalf of the subcommittee.

Mr Huget: The subcommittee, by unanimous consent, has agreed to delete, from the witness list that was tabled, Cummings, Cassidy and Agnew and put on the list Anne Noonan and Larry Leonoff. There was also unanimous consent and agreement on the subcommittee that Brian Charlton, the Minister of Energy, be the first witness called. That's it.

The Chair: That, like any other subcommittee report dealing with this 125 matter, is deemed to be accepted subject to there being any valid reason why it should not be.

Mr Dalton McGuinty (Ottawa South): I just thought of something here, and in fairness to Mr Huget, we have not had time to discuss it. That is with respect to the time allocations for each witness. We had originally agreed, as I understand it, that this time would be divided equally among the witnesses, subject to carrying time over if we used up a witness for less than an hour.

The Chair: The agreement was that each witness can be questioned for up to one hour. There was an agreement as to how the remnant of time, should the one hour not be used, be utilized. There was the report of the subcommittee

as well, indicating that a witness could be recalled for yet a further period of up to one hour.

Mr McGuinty: That was suitable in light of the fact that we had 11 witnesses and we intended to proceed for 11 hours maximum with the witnesses, and we were allowing an hour for preparation of the report. We now have nine witnesses, and I would like to be able to question perhaps one, two or more witnesses for longer than the hour.

Mr Charles Harnick (Willowdale): I would like to agree with the remarks of my friend, I, in looking at this list, see that there's probably half the list which we wouldn't need much more, I wouldn't think, than half an hour with, whereas I think it would be very helpful if we had a couple of hours with Minister Charlton and a couple of hours with Mr Eliesen, who I know is going to make himself available.

I know that the committee will ask him, and I'm sure he'll be delighted to come back here and visit us after the good service that he's performed for the province of Ontario at the high salary that he's been paid. I just know he'll be delighted to come back. Since he is the good friend of the Premier, I know that the Premier's office will do everything in its power to ensure that he attends.

I would think that Minister Charlton and Mr Eliesen and Mr Holt and Mr Leonoff would be people whom we could learn a great deal from and we could probably use a couple of hours for each of them. It would be my suggestion that we try to be as flexible as we can with the allocation of the time, recognizing that there are some people who have much greater knowledge about what this involves than others.

The Chair: Okay, let's make this clear: My count is 10 witnesses.

Mr Harnick: Do you have Mr Carter on there as a separate witness for Mr Eliesen?

The Chair: No, we're talking 10 individuals.

Mr Harnick: I don't think that there's any reason to have Mr Carter as well as Mr Eliesen there. One would have thought that we would call Mr Carter if Mr Eliesen refused to come, one hardly being a replacement for the other.

The Chair: Fair enough. That wasn't what the subcommittee had agreed when it met and reported back to the committee. Before we deal with that, Mr Huget, what have you got to say?

Mr Huget: I think that the agreement that the subcommittee—first of all, I'm surprised that we're trying to undo something that was done in terms of the subcommittee, and that was agreeing on a format of time allocation for witnesses and witness questioning. We still have 10 witnesses and we still need to write a report, and there is a 12-hour time period here.

So I think that the situation as it is, and the one we agreed to, was fair at the time and I think it's still fair at this time. It does provide everybody with enough opportunity to do their questioning, and I think there is recall, as well. Everybody has the opportunity to recall witnesses, so I think the time allocations that were spelled out in subcommittee and reported to full committee should stand. We're still going to have a substantial, I think, issue of time to try to get things done properly; we need time to write a report. So that's why in subcommittee I think it was agreed to, and I'm not prepared to undo that.

The Chair: The subcommittee report contained the following statement and that is that the committee will have a minimum of one hour for report writing. So the committee, then, is left with a total of 11 hours maximum for witness examination.

The subcommittee report indicated that the witnesses will be invited for a maximum of a one-hour time slot, the time to be divided equally between the three parties. Having said that, what are you suggesting, Mr Jordan?

Mr Leo Jordan (Lanark-Renfrew): I just wanted to clarify if there was any objection to our having Mr Carter and Mr Eliesen on the list. My understanding was—

Mr Harnick: We only want Eliesen.

Mr Jordan: —that we indicated that if we could not get Mr Eliesen, we would like to talk to his executive assistant, who I believe was Mr Carter. Is that correct? What I'm saying is, there's no need to use up the time of Mr Carter if Mr Eliesen is going to make himself available.

1610

Mr McGuinty: It was my understanding as well that Mr Carter would come in the eventuality that it was impossible for Mr Eliesen to attend. There is certainly no need to speak with both.

With respect to what we're asking to do today in terms of giving us more flexibility in dealing with the time allocations, in fairness, what we originally planned was premised upon us dealing with 11 witnesses. We have altered that today and we've agreed to that, and something that arises quite naturally and flows from that is the issue of the time allocation. So it's not something that's completely extraneous. It's natural, it's collateral, and I think it's only fair that we address that issue. I don't think it's sensible to be reopening some agreement that we had.

The Chair: Okay. Just to make sure everybody's recalling the same things, the report of the subcommittee was that if Mr Holt is not available then Mr Rod Taylor would be invited in his stead. That was the only substitution that was contained in the report of the subcommittee.

You're indicating, Mr Huget, that you're not in agreement with these changes.

Mr Huget: Which changes?

The Chair: Changes proposed by Mr McGuinty and Mr Jordan and Mr Harnick.

Mr Huget: No.

The Chair: All right.

Mr Huget: We discussed fully in subcommittee in terms of apportioning time to different caucuses, and I don't think what's being done today significantly alters that.

The Chair: All right. Except for the fact that the witnesses are to be invited for a maximum of a one-hour time slot, there was no discussion in the subcommittee—and comment on this if you wish—of a minimum period of time that they could be invited for. They, of course, were capable of being reinvented on a recall basis for up to a further maximum.

One of the suggestions that I heard is that some witnesses may not have to be here for a whole hour, and it seems to me that the report of the subcommittee may well permit that, and that is to say that a witness has to be here for only 30 minutes. It was further a part of the subcommittee report that any time remaining will be allocated at the decision of the subcommittee, and that is to say, any remnants of time if a full hour weren't utilized or if certain witnesses weren't available.

What that implies clearly is that the subcommittee would have to meet again in any event to deal with ongoing revision of the schedule of the hearings, that it not only would meet but that it would be obligated to meet.

Isn't it appropriate now for some assistance—and, again, not through the committee, but the clerk will clearly do what the clerk has always done in these matters, and that is that, subject to the subcommittee having reported that they want Mr Charlton, the minister, to be first, then to follow up and try to contact people and schedule them based on their availability and the committee's availability in the most logical order as she sees fit, and then to report back to committee members whether there are any issues of unavailability of witnesses or participants or if there are any particular schedule problems. Go ahead, Mr Harnick.

Mr Harnick: One of the difficulties that I have is that if Minister Charlton decides to come first and we are confined to one hour and we then find out that we only need Mr O'Brien or Mr Hinds or Mr Mathur or Ms Noonan for 15 or 20 minutes each, we've got all kinds of extra time that could be used for the minister. The minister wants to put himself in the exalted position of going first, and quite frankly he's the major player here. I would be quite content to get rid of all these other players and just deal with Mr Charlton, Mr Eliesen, Mr Davies, Mr Holt and Mr Leonoff.

That's the difficult position you're putting us in. Quite frankly, you're going to whisk the minister in here and you're going to whisk him out and his one hour is going to be over and we're not even going to be warned up. The minister's going to slide out the door and it'll be all very nice and quick, but the fact of the matter is, we're going to have all kinds of extra time. I can't conceive that some of these people are going to be here for a whole hour.

The Chair: Having heard what you said, surely there has to be some end to the subcommittee process at some point. I should make this clear. This subcommittee, in its report, has contemplated further meetings, but there may be some people who are troubled about how many times you rewrite the witness list. I'm saying that. But clearly the subcommittee did contemplate at the subcommittee meeting, in

addition to its initial meeting, to deal with remnants of time or to deal with filling in slots that were vacant because of the non-attendance or unavailability of a particular witness. Go ahead.

Mr Huget: Again, I'm a little disturbed about bringing this issue, which is clearly a subcommittee issue, into the full committee and going into discussions that really and rightly are the property of the subcommittee. But that aside—

The Chair: Let me interrupt you, then. Are you suggesting that this matter be referred to the subcommittee?

Mr Huget: If I may continue, Mr Chairman: That aside, everybody is subject to recall; every witness is subject to recall. I don't understand what the problem is here.

I think as well, Mr Chairman, you mentioned in your comments that the subcommittee meeting would have to meet at some point during the process of the hearings to take a look at the allocation of time at the end. I believe that's what you said. I think we agreed to that in subcommittee, that we would have to meet at some point, bearing in mind that as the process unfolds in terms of availability and time requirements we will have a better idea of how to deal with unused time. So we would clearly have had to meet again anyway to deal with that, and that's what I suggest we do: just let it go in terms of how we agreed to do it.

Mr McGuinty: I just want to confirm my understanding, because this is very important to us. Mr Charlton's going to be appearing first. In the event that we require him to reattend, we can do so through the subcommittee by virtue of me and the whip for the third party coming to agreement on that. Is that the case?

The Chair: The subcommittee contemplated doing that and made provisions for itself to do that, as I understand it.

Mr Harnick: May I make a suggestion?

The Chair: Sure.

Mr Harnick: Maybe Mr Huget can consider this. I think if we took witnesses O'Brien, Hinds, Mathur and Noonan and gave them each one half-hour, that takes up two hours. If Mr Leonoff appeared for an hour and a half, Mr Holt for two hours, Mr Davies for an hour, Mr Eliesen for two hours and Mr Charlton for two hours, we would use up 10.5 hours and have an hour and a half to write the report. That way, all of the more major witnesses could be here for two hours.

The only reason for the government to say that it doesn't go for that is because it obviously feels it has to get these people in here as quickly as it can and out of here as quickly as it can. You know, Mr Chairman, as well as I, that once the minister leaves here or once Mr Eliesen goes back to Vancouver, the right of recall of these witnesses is absolutely minimal.

You also know that the standing orders do not provide for the decision of the subcommittee to be final, so that when the seven government members come back here to ratify, asking for a witness to come back, which will come out of the 12 hours of the committee hearing, then there's just no way they will ever allow the minister to come back

here. They will say: "That might be what the subcommittee said; the subcommittee's vote is not final. It's up to the committee, and our seven people are going to blow away your five people," and that's exactly what's going to happen.

What I'm suggesting is the logical approach, if you have nothing to hide or protect, is that we obviously take the people who, on the face of it, are much more important and are going to be demanding of more time, we give them more time and allocate it a little differently, and take the other people and give them less time. It makes sense, and then we won't be in the bind of fighting over the subcommittee being overruled by the committee. Just a thought, Mr Chair.

1620

The Chair: Wait just a minute. Having heard what you said, this illustrates the problem of people being substituted partway through the process. I recall there having been a pretty complete discussion at the subcommittee of the issues of witnesses and who they were and time frames. The subcommittee report, while not exhaustive of all the issues, was a reasonably complete framework of how the committee was to proceed for these 12 hours. The subcommittee is entitled to do that. The report is deemed to be adopted.

There was some clear discussion recognizing the distinction between the subcommittee, wherein the opposition members had effective control because of their majority, and the committee, where realistically government members—and to deny that is naïve—have control should they act or should they vote en bloc.

Mr Huget has made it clear that he considers this discussion to be more appropriately held in the subcommittee. That's how I understood Mr Huget's comments in the initial part of his last set of comments. Are you in agreement with that, Mr Harnick?

Mr Harnick: What I'd like to do is ask Mr Huget if he has any problem with my suggestion.

The Chair: Wait a minute. Before we get to that, though, Mr Huget is suggesting that this is more appropriately, as I understood him, a matter of a subcommittee meeting. You're the substitute for Mr Turnbull, who's the member of the subcommittee. Are you in agreement with that?

Mr Harnick: No, because I'm going to lose at that level, because whatever we decide there will come back here and it'll be over. Why don't we decide now, so that during the week that we're not going to be here all of this can be arranged.

Mr McGuinty: I disagree with Mr Harnick in this regard: It's my understanding that when we make a decision regarding witnesses and time allocations in subcommittee, that binds this committee.

Interjections.

The Chair: Wait one moment. Standing order 125 says, "The subcommittee"—this is with reference to 125—"shall make a report to the committee on a matter designated...which shall include"—I've looked at this and I'm not of the opinion that that means that's exhaustive; it means it could include any number of things, but at the very least shall include the following things—"a precise

statement of the matter to be considered, the time to be allocated for the consideration of the matter, the date on which consideration of the matter is to commence, and the names of any witnesses to be invited to appear before the committee."

When the subcommittee does that, it's deemed to be adopted by the committee upon that subcommittee reporting back to the committee.

Mr McGuinty: That's your ruling?

The Chair: That's my interpretation at this point, after having looked at them and paid a whole lot of attention to them because of the obvious issues that we anticipated. We talked in subcommittee about some of the contentious issues in terms of interpretation of rules that were likely to arise. All of us, I know, have looked at the standing orders—rather than rules; the standing orders—and have been very thoughtfully analytical about them and how they might apply, in anticipation of some of the issues that might arise.

Mr McGuinty: I just want to be perfectly clear on that because I agree with your interpretation, and the logical extension is that if, in further meetings of the subcommittee regarding a time allocation, the members of the opposition parties are in agreement, that's the end of the matter. We will win at the end of the day and it can't be altered in the full committee.

The Chair: The only thing that might be said is that surely everybody agrees that the subcommittee can't continuously tinker, at the very least, to the point where it's disruptive of the process of the hearings.

Mr McGuinty: Fair enough.

The Chair: So if there is to be review by the subcommittee, some might argue that it might be restricted to that period of time before the hearings have actually—you see, we're not using up the 12 hours yet, even though we're on record. In that period of time, before the 12 hours actually start, some might argue that the subcommittee at the very least then—perhaps other times as well, but at the very least then—is entitled to review its position. Is that what you're arguing?

Mr McGuinty: What I want to get from you is a clear indication as to what's going to happen if, halfway through, we decided that the subcommittee is going to meet and deal with the issue of time that's left over.

The Chair: The subcommittee's own report clearly contemplated the subcommittee sitting down and assessing the development of the hearings and utilization of time and the availability of witnesses, but I'm inviting somebody to suggest that the subcommittee is entitled now, before the 12 hours start, to review its original recommendation, make a subsequent recommendation.

Mr Harnick: That's exactly what I want to know.

The Chair: Is somebody suggesting that?

Mr Harnick: I want to ask that question, Mr Chairman. Is there going to be a meeting of the subcommittee to determine definitively the timing, because my problem is, if there is not—

The Chair: Definitively?

Mr Harnick: At least definitively for the purpose of starting this hearing, because the one thing I'm concerned with is, if the minister wants to come first and we've agreed to let the minister come first to accommodate his schedule and if we decide that the minister's going to come first and he gets an hour and then later on we decide that we're going to change the way things are going to go and we find out the minister no longer can come because he's got other commitments, then the whole purpose is defeated.

Is it proper to move at this stage that we have a subcommittee meeting in light of the change that we've made to the list? You see, that's my problem.

Mr Huget: We've already done that.

Mr Harnick: Now I'm asking that you consider changing that.

Mr Huget: Mr Chairman, if I might, the report of the subcommittee on the time allocations for witnesses and the procedure for questioning and recall was agreed on in good faith by members of the subcommittee.

I apologize to Mr Harnick, but it is certainly more than unreasonable to have to negotiate, I think, a set of conditions every time there is a new committee member who appears on behalf of the third party for one day. What it does is, it destroys what good working relationships we are trying to foster in terms of the subcommittee taking on its proper role and working through those issues.

Those issues were worked through. In the subcommittee report it is clear that we made reference to the issue of unused time, and at some point we would have to come back and review that. That's how I see the process working.

But, Mr Harnick, if I might, under the circumstances that have prevailed lately with the third party and this committee, it would require the endless negotiation of hundreds of different subcommittee reports, because every time there's a new face from the third party, Mr Harnick, there's a new agreement. Something has to be changed; something has to do this; something has to do that. The rest of us work in subcommittee trying to reach reasonable agreements to allow the committee to do its job. It's just, to me, less than responsible to continuously try to renegotiate things that have been negotiated in good faith by members of the subcommittee, who are all three parties on this committee.

Mr Harnick: My difficulty is that when these time allocations were contemplated, it was not contemplated that Charlton would be coming and being here first.

Mr Huget: What's the difference?

Mr Harnick: The fact of the matter is that he is a major player in this inquiry.

Mr Huget: Subject to recall. Subject to recall, like all the rest.

Mr Harnick: Except for one thing: He won't be available the moment he leaves this door after his one hour is finished. He'll say: "I was there. The rest of my calendar was booked up. That's why I asked to go first, and I have no more time to be in front of that committee."

What I'm saying is, in light of the fact that you've now asked and we've agreed to accommodate you to move him up to the top of the list—which I do with some reservation, but the fact that we're going to do that certainly changes the flexibility that you'd like to have in terms of time with the first witness. You're not going to know about what extra time you have till you get down to the eighth, ninth or 10th hour, and it may well be that in the extra hours that you have, the minister just won't be available. I'm saying, if we know the minister is available first and we're prepared to accommodate him first, let's accommodate him for two or three hours—if he has nothing to hide.

1630

The Chair: One: The comment at the very beginning of this meeting by Mr Huget with respect to the recommendation of the subcommittee as it applied to Mr Charlton, the minister, appearing first was the result of the most informal of subcommittee meetings. It was the result of people merely putting heads together; there's nothing wrong with that, but it was the result of people putting heads together while the committee sat and waited for that subcommittee to return. It wasn't a subcommittee meeting that was chaired in the more formal sense and about which there was sit-down, across-the-table discussion, or certainly protracted or in-depth discussion. That's number one.

Number two, Mr Turnbull, who is the regular subcommittee member, was present at the subcommittee, with Mr McGuinty, Mr Huget and myself as Chair, when the subcommittee met to consider Mr Jordan's 125 designation. Mr Turnbull isn't here today. Mr Harnick is here legitimately on his behalf, a substitution slip having been filed with the clerk.

Some members may be concerned about what happens should Mr Turnbull come back next time and be at variance with Mr Harnick. However, standing order 124 says that the subcommittee is to meet from time to time, either at the call of the Chair or at the request of any member thereof. It means any member of the subcommittee. I understand that to mean that the subcommittee is obligated to meet at the request of the Chair or at the request of any member of that subcommittee.

Why wouldn't this committee consider it appropriate if one of the members of the subcommittee wants to call that subcommittee to meet? In view of the fact that none of this 12-hour process has commenced yet, in view of the fact that it is clear that the clerk has had only the opportunity to do the most preliminary of preparations, in view of the fact that a 125 designation is as of right and is there to provide the opposition with an opportunity to do things it wouldn't otherwise have the right to, wouldn't it be appropriate for the subcommittee to meet, to do whatever it thinks it has to

or can do and, depending upon what happens there—I mean, we're talking now about the appropriateness or inappropriateness, or validity or invalidity, of a subcommittee report on matters that have already been reported in a vacuum because there is no subsequent subcommittee report. The subcommittee has a right to meet. Whether or not that report is deemed to be accepted by the committee remains an issue to be discussed, if raised, when the subcommittee reports back to the committee.

Mr Harnick: I thought you had just told us what your interpretation of that section was?

The Chair: I told you that, and nobody raised any objections, but people may well raise objections. And there was no report from the subcommittee back to the committee. When that happens, and the comment is put to the committee, as I did the last time the subcommittee reported, "Is there any valid reason not to deem this report to be accepted?" if people want to raise objections then—I've indicated that before the 12-hour process is started, nobody having argued anything, it would seem to me that it would be far easier for the subcommittee to do this than once the process was under way and commitments were made.

Is any member of the subcommittee asking for a meeting of the subcommittee?

Mr McGuinty: Yes.

The Chair: Okay. Mr McGuinty is. Is there any further discussion? I trust you'll approach the clerk to arrange a time for that?

Mr McGuinty: Is it possible to meet right now?

Mr Huget: I have a problem with that. I'm scheduled to speak on Bill 40. I realize that trying to be accommodating, at least lately, on this committee is somewhat of a challenge, but I am not prepared at this moment to have a subcommittee meeting. We all have obligations besides this committee, and this is a surprise.

We had thought, perhaps naively so, that agreements that are made in good faith in subcommittee meant something. If they have to be looked at again—and I think in the original subcommittee report we made clear reference that we'd have to deal with these issues again anyway, so none of the assertions and hypothetical situations Mr Harnick brings forward have any bearing on anything; nor, for that matter, do anyone else's.

If there's going to be a subcommittee meeting, the clerk will have to arrange one. I'm not able to attend one now.

The Chair: Maybe the clerk will arrange one for tomorrow.

We then are adjourned until Monday, November 16, at 3:30 or soon thereafter. Thank you.

The committee adjourned at 1635.

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Conway, Sean G. (Renfrew North/-Nord L)

Dadamo, George (Windsor-Sandwich ND)

***Jordan, Leo (Lanark-Renfrew PC)**

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***McGuinty, Dalton (Ottawa South/-Sud L)**

Murdock, Sharon (Sudbury ND)

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Turnbull, David (York Mills PC)

Waters, Daniel (Muskoka-Georgian Bay/Muskoka-Baie-Georgianne ND)

Wood, Len (Cochrane North/-Nord ND)

Substitutions / Membres remplaçants:

***Harnick, Charles (Willowdale PC)** for Mr Turnbull

***Hayes, Pat (Essex-Kent ND)** for Mr Wood

***Johnson, Paul R. (Prince Edward-Lennox-South Hastings/Prince Edward-Lennox-Hastings-Sud ND)** for Mr Klopp and Ms Murdock

***MacKinnon, Ellen (Lambton ND)** for Mr Waters

***Wessenger, Paul (Simcoe Centre ND)** for Mr Dadamo

***In attendance / présents**

Clerk / Greffière: Manikel, Tannis

Staff / Personnel:

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Standing committee on resources development

Ontario Hydro president

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Deuxième session, 35^e législature

Journal des débats (Hansard)

Lundi 16 novembre 1992

Comité permanent du développement des ressources

Le président d'Ontario Hydro

Chair: Peter Kormos
Clerk: Tannis Manikel

Président : Peter Kormos
Greffière : Tannis Manikel

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Monday 16 November 1992

The committee met at 1541 in committee room 1.

ONTARIO HYDRO PRESIDENT

Consideration of the designated matter pursuant to standing order 125 relating to the departure of the president of Ontario Hydro.

MINISTRY OF ENERGY

The Chair (Mr Peter Kormos): Okay, we're ready to proceed. Minister Charlton is here. Could the staff people perhaps introduce themselves.

Ms Valerie Fogarty: I'm Valerie Fogarty, the minister's legislative assistant.

Mr Ed Ciemiega: I'm Ed Ciemiega, director of legal services with the Ministry of Energy.

The Chair: We have one hour—20 minutes per caucus—and we're going to proceed with questions from Mr McGuinty.

Mr Dalton McGuinty (Ottawa South): Just to confirm, any time that I don't use up at the outset I will be entitled to at the end. Is that correct? Thank you.

Mr Minister, I want first of all to deal with your letter of September 16, 1992, to Marc Eliesen. That letter was marked "Personal and Confidential." Was there any particular reason?

Hon Brian A. Charlton (Minister of Energy): Essentially because it was intended for the chair, and the chair only.

Mr McGuinty: Were you surprised to later learn that it was used to bolster the case supported by some members of the board of directors that Mr Holt's departure be brought about?

Hon Mr Charlton: To be frank, I wasn't aware that it was going to be used, but on the other hand it wasn't discussed either.

Mr McGuinty: In this letter you say in the first line, "I am writing to follow up our discussion about the search for your successor and the transition." You obviously had a discussion with Mr Eliesen. At that time did you ever discuss directly Mr Holt's departure?

Hon Mr Charlton: As I said, both in the House and to the media, I had discussions with Mr Eliesen prior to the writing of the letter, round about the end of August or early September. In those discussions Mr Eliesen made it clear to me that it was his view that there was a distinct division between the board and Mr Holt and that he intended to raise those matters at a board meeting. We had some discussion around that. The letter that followed on September 16 was a response from me after thinking about the process that should flow out of that.

Mr McGuinty: Was this letter sent at the request of Mr Eliesen?

Hon Mr Charlton: No.

Mr McGuinty: You just took it upon yourself to send this letter?

Hon Mr Charlton: Yes.

Mr McGuinty: What was your view with respect to Mr Holt at the time? You said that Mr Eliesen entertained a certain view. What was your view?

Hon Mr Charlton: I don't have any particular view of Mr Holt as an individual. My concern as the minister obviously is the effective operation of the board of directors of Ontario Hydro. As it was a matter for the board to deal with, that's the view from which I proceeded, that Mr Eliesen and the board had every opportunity and obligation to deal with the matter and that they would.

Mr McGuinty: Surely you were anxious to—let me put it this way: Surely you're not equivocal about Mr Holt's departure. You're not equivocal, you're not saddened. Isn't it true that Al Holt was from the old Hydro school and that he entertained certain notions which were contrary to yours? He was a firm believer in megaprojects and nuclear power and he was a disbeliever when it came to heavy focus on things like conservation and energy efficiency.

Hon Mr Charlton: My personal feelings about the departure of Mr Holt may exist, but they don't have any relevance to this discussion. I did not in any way contemplate either removal of or the ability to remove Mr Holt prior to the conversations with Mr Eliesen regarding his intent to raise the matter at the board.

Mr McGuinty: Yes, but do you not feel in your heart of hearts as the Minister of Energy for this province that it is better for Ontario Hydro that Mr Holt leave?

Hon Mr Charlton: It would be better for Ontario Hydro if the things that I've discussed in my letter, which are the new chair and the board together, can effectively put together a management team to ensure an appropriate and efficient operation of that corporation through very difficult times.

Mr McGuinty: In your letter at one point you talk about selecting a new president and chief operating officer. Surely the logical implication is that if you're talking about a new president and chief operating officer, you're implicitly talking about a past president and that somebody who is there now has got to go, are you not? You're nodding your head? You're affirming this?

Hon Mr Charlton: I think what the question you're asking is leading to is, what does this reference mean in the context of the fact that there was a president there? As I told you, in late August, early September, I had a conversation with Mr Eliesen where he made it clear that he intended to raise the issue with the board. It was also

clear from his conversation with me that he felt he had the votes to handle the issue at the board.

My reflection over the period of two weeks thereafter, as I've said repeatedly in the House and to the media, was about what the process should be in the context of understanding the very difficult situation that faces Hydro and how best to put in place a management team after that event that served the best interests of Hydro and the province.

Mr McGuinty: So you're telling me that you never, at any time, on any occasion, anywhere, expressed an opinion as a Minister of Energy regarding whether it was a good thing or a bad thing for Mr Holt to continue to be with Ontario Hydro.

Hon Mr Charlton: Not to my recollection, no.

Mr McGuinty: I don't understand why you sent this letter. There was a telephone conversation. You discussed some things, but apparently you did not in any way tell Mr Eliesen that, yes, it was a good thing for Mr Holt to go. I don't understand the purpose of this letter.

Hon Mr Charlton: My view is that the purpose of the letter is very clear. We had a circumstance a year and a half before the events you're referring to where both the positions of chairman and president were vacant. The position of president was filled in the absence of the new chair. It was my concern that that process not be the same this time around, that that was an inappropriate way to create the kind of unity and workability that's required in the very difficult circumstances Hydro and the board at Hydro are now faced by. So my letter was intended to ensure that some process was followed, in an attempt to ensure that there was some unity and unanimity on the board at the end of the day.

Mr McGuinty: Based on your discussions with Mr Eliesen then, it was your clear understanding that something was going to take place, that a number of votes were on side and that ultimately Mr Holt's departure or demise would be brought about.

Hon Mr Charlton: That's correct. I don't think I've ever hidden that fact. I've certainly suggested in a number of responses in the House and to the media that I was fully aware from my conversations with Mr Eliesen that events were going to proceed, yes.

Mr McGuinty: All right. I've got a copy of an article that appeared in the Toronto Sun on October 1. It says here, "Charlton said he wasn't aware of Holt's sudden departure...until he inquired about it after speaking with a Sun reporter Tuesday afternoon."

I don't understand. You anticipated this was coming about; he was going to leave. You tell us that you had no hand in this, and yet you expressed some surprise when you were informed that he had left.

Hon Mr Charlton: To put it as simply as I can, and again, this has been said a number of times and it's not always—things you say are not fully reported in the media, so let's try and clear up the precise events of the days of that week after September 25.

The Monday morning, after the board retreat, both Mr Eliesen and Mr Davies, my deputy, informed me that at the

retreat a motion had been passed by the board authorizing the chair of Ontario Hydro to enter into discussions with Mr Holt about his retirement. That's all that had been passed by the board, as far as I'm aware, and that's the understanding I had. When I got the press call on Tuesday afternoon, I was not aware at that point whether those discussions with Mr Holt had even commenced yet or not.

Mr McGuinty: But doesn't your deputy minister sit on the board?

Hon Mr Charlton: Yes, my deputy minister sits on the board. My deputy minister was not part of the discussions with Mr Holt; the chair was. My deputy and the chair of Ontario Hydro both informed me on Monday morning that the board had passed a motion to enter into discussions with Mr Holt about his retirement. That's all the motion called for. It certainly didn't end anybody's employment, and unless Mr Holt came to some agreement with the chair in those discussions, there wasn't any leaving. So until I was made aware that some agreement had been reached between the chair and Mr Holt, there was nothing for me to report because I wasn't aware that any agreement had been reached when I received the press call.

1550

Mr McGuinty: So this meeting with the board of directors to which you're making reference took place on September 25.

Hon Mr Charlton: It was over several days, I think. But I think the motion question was on the 25th, yes.

Mr McGuinty: The motion question took place on the 25th. But on the 30th of September, some five days later, when the reporter from the Sun approached you, you're telling us your deputy minister had not told you that the president and chief operating officer—that you weren't even aware of the motion. That's my understanding.

Hon Mr Charlton: That's correct.

Mr McGuinty: You weren't aware that the president and chief operating officer of the largest utility in North America, employing some 28,000 people and having some \$8 billion in revenues, that his departure was imminent.

Hon Mr Charlton: I don't understand the point. I've just said and I'll repeat, on the 25th, the board of directors, as I'm led to believe, passed a motion which authorized the chair to enter into discussions with the president regarding his retirement. I received a press call on Tuesday afternoon. At the point at which I received the press call, I was unaware of whether those discussions had even commenced or not. I was unaware of whether Mr Eliesen had been able to reach Mr Holt or not. As a matter of fact, at the time of the press call, although I don't know the precise moment of the agreement being reached with Mr Holt, I don't believe there had been an agreement reached. We were in touch with Hydro shortly after that and they told us there would be an announcement.

Mr McGuinty: Do you continue to maintain that Mr Holt retired?

Hon Mr Charlton: Yes, I do.

Mr McGuinty: We can categorize a firing as a retirement, but surely the true test is one of voluntariness. But

this retirement, so-called, was instigated by Ontario Hydro. Is that not true?

Hon Mr Charlton: That's correct.

Mr McGuinty: So this retirement was brought about at the instigation of Ontario Hydro?

Hon Mr Charlton: I just said that's correct.

Mr McGuinty: Right. The big difference to me between a firing and a retirement is the cost. If I retire voluntarily, generally speaking I may be entitled to some compensation, but not much. If I'm fired, legally there are different ramifications, and I'm sure you understand that. We've heard that Mr Holt is getting \$1.2 million in addition to a pension entitlement, a package that in total is going to exceed some \$2 million. How can we expect to believe that he retired voluntarily and would still be getting this kind of money?

Hon Mr Charlton: I don't, first of all, recall ever saying, and if I did I was incorrect, that it was a voluntary retirement. I used the term "mutually agreed retirement," and that's what I believe it was.

You talk about tests and how you measure these things. In terms of the board's motion, it's my understanding that if Mr Holt had not agreed to retire, if he had not reached a mutual agreement in his discussions with the chair, then before anything such as a dismissal could have occurred, there would have to have been another round of discussions and a vote at the board. I think if you're going to measure a specific incident, a specific motion, then it has to be understood in the context in which it's made and in which it's carried out. That's my understanding of the process that occurred.

Mr McGuinty: What are the specifics of Mr Holt's retirement package?

Hon Mr Charlton: I said it in the House and I'll repeat it here: I don't know. That information happens to be protected under the freedom of information act. In fact, as I understand it, it would have been illegal for those who have knowledge of what's in that agreement to impart it to me.

Mr McGuinty: Mr Minister, you may not be aware of this, but this committee, out of an abundant sense of responsibility and caution, obtained an opinion from the privacy commissioner. In a nutshell, the privacy commissioner advised that it was all right to provide us with this kind of information. That wasn't the issue. The issue in his mind was the use to which we were to put that information. I'm not sure if you've been provided with a copy of that. We've also obtained a copy of a report from legislative counsel advising us that the directors would not be in breach of their duties by providing us with information. So we've cleared the decks. We're open to receiving this information.

Hon Mr Charlton: I haven't seen those legal opinions, but the legal opinion we've received from the Attorney General and from Hydro itself is to the contrary.

Mr McGuinty: You may be aware, Mr Minister, notwithstanding these letters which you appear to be discounting, under the Freedom of Information and Protection of Privacy Act, that piece of legislation provides for certain

exemptions. One of those is that exemptions will not apply where a compelling public interest in the disclosure of the record clearly outweighs the purpose of the exemption.

Hon Mr Charlton: That's correct. Those sections are in the act. If it will help you out in any respect, it is our view that the release of this personnel information regarding Mr Holt is not of an overriding public interest. It's a personnel matter in Hydro.

Mr McGuinty: I don't understand how you can say that. We have ratepayers in this province who, as you well know, are facing increases over three years totalling some 30%, at a time when inflation is less than 2%. This \$1.2 million, or whatever it is, is going to be added to the cost to be borne by ratepayers. Either that or it's going to be added to the debt, for some reason unbeknown to me, a debt that is guaranteed by the people of this province. I can't understand why you're telling me that the people of this province, the ratepayers who are saddled with these tremendous rates, cannot be informed as to the cost of this government's bringing about Al Holt's departure from Ontario Hydro.

Hon Mr Charlton: As I've said, in our view it's covered by the Freedom of Information and Protection of Privacy Act, and that's the position we've taken. It's a personnel matter. Corporations, whether they're in the private sector or the public sector, do not do their personnel dealings in public.

When we dealt with the Freedom of Information and Protection of Privacy Act in this Legislature, your colleague beside you will tell you that all three of the parties in the Legislature at the time demanded the kinds of personal protections that exist in that legislation. Are you now trying to tell me that those protections are good enough when somebody else wants the information but not good enough here?

Mr McGuinty: You may recall at the time of the discussion of Mr Eliesen's salary, the matter was referred to the Information and Privacy Commissioner. In a letter to Murray Elston, he says the following:

"It is with mixed feelings that I"—

Hon Mr Charlton: This is a letter from whom to Elston?

Mr McGuinty: From the Information and Privacy Commissioner, Tom Wright. He says:

"It is with mixed feelings that I even raise the possibility that at times the Freedom of Information and Protection of Privacy Act could inadvertently inhibit the Legislature's ability to fully, frankly and openly debate matters that members on all sides of the House feel should be publicly addressed."

There's all kinds of news to be brought to the light of day shortly before this committee. To my knowledge, all the directors of Ontario Hydro are telling us that they cannot attend, that to do so and to testify here would be in breach of that particular legislation. It's thwarting—

Hon Mr Charlton: I would suggest to you that in this regard, you've had different legal opinions than we've had and than Hydro has had. If you're as certain of your ground as you seem to be, it would be very simple for you

to proceed with a request under the freedom of information legislation and force the commissioner to consider the facts of the case and make a decision.

I'm not going to release a document that I believe is of a very personal nature and affects the personal life of an individual who I believe does not want it released.

1600

Mr McGuinty: I put it to you, Mr Minister, that you are using that legislation, notwithstanding the opinions we've had from independent legislative counsel and from the privacy commissioner himself, as a ruse to thwart the intent of this committee, which is to get to the bottom of this and find out specifically what happened and why it was that Mr Holt ended up leaving Ontario Hydro.

Hon Mr Charlton: Can you tell me what it is about his retirement agreement that's going to tell you that?

The Chair: Unfortunately, we have to move on.

Mr Charles Harnick (Willowdale): Minister, if you were to run in the next election and lose, would you describe that as a retirement or an election loss?

Hon Mr Charlton: I don't get the connection.

Mr Harnick: There's a very definite connection. A bunch of board members met at a retreat and they had a vote and they said, "Mr Holt is going to retire," and lo and behold, Mr Holt retired. He lost the vote. I call that a firing, don't you?

Hon Mr Charlton: No, I don't. Again, as I said, after the board of directors retreat on September 25, I was informed by my deputy and by the chair of Hydro that a motion had been passed by the board authorizing the chair to enter into discussions with the president about retirement. I was also informed, as I've already told the committee, during the course of that meeting that if they couldn't have reached or if they were unable to reach a mutual agreement around retirement, the board would again have to deal with the matter. Elections are much more final than that.

Mr Harnick: Let's put it this way: You've already told us today that Mr Eliesen said that he had the votes. Correct?

Hon Mr Charlton: That's correct.

Mr Harnick: And if he had the votes and they had to go back, the final conclusion was obvious, was it not?

Hon Mr Charlton: Perhaps.

Mr Harnick: Not perhaps; it was definite. If he had the votes, Mr Holt was going to go.

Hon Mr Charlton: I'm sorry, Mr Harnick, it didn't occur, so I'm not prepared to make that assumption.

Mr Harnick: That's because it was so obvious that it didn't occur.

Hon Mr Charlton: The board obviously had some level of reservation that caused it to take the action that it took and I'm not going to prejudge why it made the motion or passed the motion that it chose to pass.

Mr Harnick: Before this meeting, did you ever get a letter from Mr Holt indicating that he wished to retire?

Hon Mr Charlton: No.

Mr Harnick: Was Mr Holt even at the meeting?

Hon Mr Charlton: I believe he was not, but I wasn't either.

Mr Harnick: Let's put it this way: Your deputy minister was there, was he not?

Hon Mr Charlton: That's right.

Mr Harnick: And your deputy minister told you who was present, didn't he?

Hon Mr Charlton: I believe Mr Holt was not at the meeting.

Mr Harnick: Of course he wasn't, because we all know he was in Spain. Isn't that correct?

Hon Mr Charlton: I believe that's the case, yes.

Mr Harnick: That's pretty obvious. And I understand that what was really going on there was that there was a meeting of the management resources committee and, in conjunction with that, they decided to have what was really an unconstituted board meeting. Is that correct?

Hon Mr Charlton: I don't know the answer to that.

Mr Harnick: Wouldn't it be a little unusual, when Hydro is deciding what its future executive is going to look like, that a meeting such as this would go on and the president wouldn't be there?

Hon Mr Charlton: That's a matter for the Hydro board to deal with.

Mr Harnick: Let's talk for a minute about the reason you wrote this letter. I think you told my friend you wrote this letter because you were concerned about ensuring that a process was followed. Is that correct?

Hon Mr Charlton: That's correct.

Mr Harnick: That's why you wrote this letter, and part of that process was a process in which you knew Mr Eliesen had the votes. Correct?

Hon Mr Charlton: That's correct.

Mr Harnick: And you also knew that the president of Hydro was not there. That's correct as well. You've told me that.

Hon Mr Charlton: I did not know that anything was going to be raised on the weekend of September 25. When I wrote my letter, I was aware that Mr Eliesen intended to raise the issue with the board of directors. I was unaware when that event might occur, so I was also unaware that Mr Holt would not be present.

Mr Harnick: Let's talk about Mr Eliesen. Mr Eliesen obviously knew Mr Holt wasn't there when he called the meeting, didn't he? That's obvious, and you had discussions with him.

Hon Mr Charlton: I have no way of knowing that, so it's difficult to respond.

Mr Harnick: Let me put it to you this way: The only reason you wrote this letter is because you wanted to ensure that the process that was now in place was a coup of the president of Ontario Hydro. That's why you wrote the letter.

Hon Mr Charlton: No.

Mr Harnick: Let's talk about the letter. The letter says that, first of all, you had discussions about "the search for your successor and the transition." I gather you had those discussions with Mr Eliesen.

Hon Mr Charlton: That's correct.

Mr Harnick: Those discussions, I put to you, had to do with replacing Mr Holt and finding a new president. Is that correct?

Hon Mr Charlton: No.

Mr Harnick: What were those discussions about?

Hon Mr Charlton: Well, "your successor," first of all, in this first paragraph, refers to Mr Eliesen and not to Mr Holt.

Mr Harnick: All right. So you're going to talk about Mr Eliesen, who has quit and walked away from Ontario Hydro, and you're going to go and get from the quitter advice about who to replace him with. Is that correct?

Hon Mr Charlton: We did not seek advice from Mr Eliesen about the specific individual who would replace him. We did have some consultation with Mr Eliesen about the kinds of things that were going to be required at the board, and we did have some discussions with Mr Eliesen about a process around seeking his replacement.

Mr Harnick: So here's the minister who tells the Legislature that he doesn't like to get involved with day-to-day operations at Hydro having discussions with the man who has quit to find out what he should do in order to replace him, from the quitter. That's essentially what you're telling us. Is that correct?

Hon Mr Charlton: Essentially what I'm telling you is that the meeting you're referring to and the discussion I'm referring to here was a very direct discussion with the chair of Ontario Hydro, who was the Premier's appointment—which is the responsibility of the government to be directly involved in—and yes, we had discussions with him about that succession.

Mr Harnick: To go on from there, you said it's "extremely important that the new chair and chief executive officer have the opportunity to work with the Ontario Hydro board of directors to select a new president and chief operating officer." That's what the letter says.

Hon Mr Charlton: That's what the letter says, yes.

Mr Harnick: I put it to you that you already had a president at that time, at the time you were writing this letter.

Hon Mr Charlton: That's correct.

Mr Harnick: Well, why did you need to find a new president? You already had one.

Hon Mr Charlton: I think we just went through that about 20 minutes ago, but I'll go through it again.

Mr Harnick: Why don't you say it in a more elementary way, so I can understand it.

Hon Mr Charlton: You've asked the question. Let me respond to it.

During the course of those conversations with Mr Eliesen in late August or early September—I can't recall the precise date—Mr Eliesen informed me that it was his view that the

president and the board were not in harmony, that he intended to raise the matter of Mr Holt's future with the board, and that he believed he had the votes to deal with replacing Mr Holt. That was part of an overall conversation about the future of Hydro.

My letter, which followed about two weeks after that conversation, was a letter that was written having reflected on both the events of a year and a half earlier, which I described earlier to this committee in which both positions had been vacant and the presidency was filled prior to the appointment of the new chair, and the apparent disharmony that resulted from that process, and my desire to ensure that if the Hydro board was going to proceed to deal with the question of the presidency, it not proceed so far as to fill the position of president until after the new chair had been put in place and that the new chair and the board can consult about a new president.

Mr Harnick: But you'd agree with me that the new chair was not appointed until just about a week ago.

Hon Mr Charlton: That's correct. You'll also recall, though, that I told you just a few moments ago in the response to one of your earlier questions that in terms of when the actions happened at the Hydro board, I was unaware.

Mr Harnick: You'd agree with me that Mr Eliesen was a reasonably intelligent individual, was he not?

Hon Mr Charlton: Yes, he was.

Mr Harnick: Surely the information that's contained in this letter, particularly in the operative paragraphs 1 and 2, was not something you'd have to commit to writing so that he would understand.

Hon Mr Charlton: When I write letters, I tend to put them in context, and that's what these paragraphs, in my view, do.

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Mr Harnick: You're aware of the fact that this letter was placed before the members of the board at the meeting, are you not?

Hon Mr Charlton: I'm aware that apparently happened. I wasn't at the meeting, so I'm not personally aware of it, no.

Mr Harnick: I put it to you that is precisely why you wrote the letter. You wanted this letter to be put before your appointed board members so they would receive a strong signal from the government as to how they should vote, period.

Hon Mr Charlton: You can make that assumption if you like—

Mr Harnick: Otherwise there's no possible reason you would write this letter, none whatsoever.

Hon Mr Charlton: You can make that assumption if you like. That's not why the letter was written.

Mr Harnick: Surely you didn't have to tell Mr Eliesen what's in section 6 of the Power Corporation Act. Surely you didn't have to tell him that it's important for the president and the chief operating officer to be in harmony with one another and that, "You should be considering getting a new

president." You told them that in the discussions. What possible other reason can there be to have written this letter? To ensure a process, and the process was the coup of the president of Ontario Hydro, and you know it, Minister.

Hon Mr Charlton: The purpose of my letter was to confirm a conversation I'd had with Mr Eliesen and to reflect my thoughts coming out of that meeting.

Mr Harnick: Well, these were very profound thoughts, and it just begs to ask the question why such profound thoughts had to be confirmed if it wasn't the intention to make sure that this was put before the board.

Hon Mr Charlton: It was already clear to me that it was going to the board.

Mr Harnick: And this would be the signal as to how the government wanted the board to vote. You'll acknowledge that I believe there were 12 members on the board when you became minister, or thereabouts?

Hon Mr Charlton: I don't recall, to be honest.

Mr Harnick: Let me put it to you this way. There was a slew of appointments your government has now made to increase the size of that board, correct?

Hon Mr Charlton: No, none of the new appointments resulting from 118 have been made yet.

Mr Harnick: Just let's go back. How many of the members of that board are appointments of your government?

Hon Mr Charlton: I'm afraid I don't have an exact count. We can get that for you, though.

Mr Harnick: Has the board been expanded?

Hon Mr Charlton: The board was expanded by Bill 118, which was passed in May or June of this year. Those appointments have not yet been made.

Mr Harnick: I put it to you that there were a whole lot of vacancies on that board.

Hon Mr Charlton: There still are.

Mr Harnick: And there were a whole lot of appointments you as minister or your predecessor made. Correct?

Hon Mr Charlton: We've certainly made a number of appointments, including several reappointments that were made last spring.

Mr Harnick: And that's why you knew you had the votes.

Hon Mr Charlton: Reappointments of old board members.

Mr Harnick: That is why you knew you had the votes, isn't it, Minister? You'd made appointments and you knew that they were your appointments and that when they saw your letter they would vote the way you wanted them to. Isn't that correct?

Hon Mr Charlton: I'm sorry. I've got to say to the member in response to his again speculative assumption that I haven't sat at board meetings, I have no idea of the voting patterns of the board members and had, other than the comments of the chair, nothing to base my judgement on in respect to having the votes or anything else.

Mr Harnick: Oh, really, Minister? I thought you told us a few minutes ago that your deputy goes to those meetings.

Hon Mr Charlton: That's correct. He does.

Mr Harnick: Doesn't he report to you after those meetings?

Hon Mr Charlton: Yes, he does.

Mr Harnick: And doesn't he tell you who voted for what?

Hon Mr Charlton: I would suggest to the member that if he thinks we waste our time enumerating after every board meeting the way in which each individual board member voted on each individual issue, I think the member is living in some kind of technicolour world. We spend our time talking about very important policy issues, like the matter of having to defer \$7 billion of \$10 billion of capital expenditures that were before the board last month.

Mr Harnick: That's right, Minister.

Hon Mr Charlton: Those are the kinds of issues I deal with my deputy about.

Mr Harnick: And when those things come before the board, your deputy tells you what the comments of the board members are, doesn't he, and he tells you about the nature of the discussions at those board meetings.

Hon Mr Charlton: I have never on any occasion sat down with my deputy and enumerated the way in which board members voted on any particular issue.

Mr Harnick: But he tells you what resolutions were before the board, and he tells you—

Hon Mr Charlton: Whether they passed or didn't, yes.

Mr Harnick: Exactly. And you know—

Hon Mr Charlton: We have never on any occasion enumerated how anybody has voted on any of those issues.

Mr Harnick: And you don't need much more than that, do you, to find out what happened at the meetings. Correct?

Hon Mr Charlton: Is what correct?

Mr Harnick: When your deputy minister—

Hon Mr Charlton: You made the accusation that somehow I knew and had a good reading on how all of those board members voted, and I'm telling you, Mr Harnick, that you're out to lunch.

Mr Harnick: I may be out to lunch, but it seems to me when you have important issues before the board and your deputy comes back and reports to you and says, "We passed this resolution. Boy, it was only by a single vote, it was really close. We'd better stack a few more NDP members on the board so it's not so close next time," surely, you're aware of that.

Hon Mr Charlton: I'm aware of what the reported vote was in number terms.

Mr Randy R. Hope (Chatham-Kent): Just like the Senate.

Hon Mr Charlton: I have no personal information in terms of who those people were. I can make some guesses in some cases, but even then my guesses might be wrong

because I don't know who all of the five, for example, who are reported to have voted against it were.

Mr Harnick: But you know that you had enough to make sure you were going to win.

Hon Mr Charlton: I don't know why you're making so much of a point of this. I answered that in response to the very first question from Mr McGuinty earlier in this meeting. That's what I was informed of by Mr Eliesen in August or early September.

Mr Harnick: And when a board votes to remove someone from his position before that person has even been consulted, when he's in Spain and not even present to make representations, you still insist that's a voluntary retirement?

Hon Mr Charlton: I think I characterized it as a mutual retirement where they reached a mutual agreement around Mr Holt's retirement.

Mr Harnick: When half of this mutual deal was going on and Mr Holt was about 4,000 miles away and knew nothing about it, what's mutual about that?

Hon Mr Charlton: I think Mr Holt sought legal advice and I'm not going to comment on what Mr Holt thought in that whole process, because I wasn't with Mr Holt. What I am aware of and what I will repeat is what I said earlier, that if Mr Holt and the chair of Hydro, through their legal counsels, had not reached a mutual agreement, the matter in question would have had to go back to the board of directors for resolution and Mr Holt could have been present for that board meeting.

Mr Harnick: At which time you knew you had the numbers to pass whatever resolution you wanted. He knew it, you knew it, and that's why he was fired.

Hon Mr Charlton: Again you make that assumption. I don't know that's the case and I'm not going to assume that on the part of the board.

Mr Harnick: I don't know why you're so afraid to use the F-word. You gave him a severance package, didn't you?

Hon Mr Charlton: I didn't give him anything.

Mr Harnick: Hydro gave him a severance package.

Hon Mr Charlton: He had discussions with Ontario Hydro about his retirement and he reached some kind of an agreement with Ontario Hydro, the facts of which I do not have.

Mr Harnick: As minister, I know you would be the first person who would want to congratulate a retiring 36-year employee at a retirement party, if somebody retired. How was Mr Holt's retirement party? Were you there?

Hon Mr Charlton: I'm not aware that there's been one so, no, I was not there.

Mr Harnick: Thank you.

The Chair: Two minutes.

Mr Leo Jordan (Lanark-Renfrew): Thank you, Mr Minister, for coming this afternoon. I know that time is short, but I would like to ask you why, when I asked you directly in the Legislative Assembly if you had any input, direct or indirect, into the disposing of Mr Holt, you said,

"The answer is simply no," then later out with the press, when they questioned you, you said: "Well, I guess I may have. I thought it was time for me to get my oar in"?

Mr Minister, in all fairness, as you like to refer to, do you yourself not find that contradictory relative to the answer you gave me in the Legislature?

Hon Mr Charlton: No, Mr Jordan, I don't, and I'd refer you to your own question. The verbal exchanges that occur in the House are at best, based on the length of preambles and so on and so forth, answered in part, not in full.

For example, when I look at your question after a lengthy preamble: "My question to the minister is: Did your ministry give any direction?" and then you went on to talk about whether there was any input on my part, well, the ministry did not give any direction to Hydro; this minister did not give any direction to Ontario Hydro.

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Whether there was any input is something that I think only the board members can answer, but I don't believe I influenced anybody. I believe that each of the members of the Hydro board happen to be very competent and very strong individual people and that the fact that there was a split vote on the issue to the extent that there was says, in my view, that I had no input or influence on the decision that was finally made.

Mr Jordan: Mr Minister, surely you find what you're saying now completely contradictory to what you've said here already this afternoon.

Hon Mr Charlton: No.

Mr Jordan: Just let me finish now. You've stated that you had discussions with the chairman of the board regarding the requirement to remove Mr Holt because he was not compatible with the policies of your government and there was friction there and he had to go. There's no question that those discussions didn't take place.

On top of that, you followed up with a letter of September 16 to the chairman of the board asking him to get on with this and deal with it in a fairly quick manner. I forget the exact wording of your letter—

Hon Mr Charlton: The word "quick" isn't there.

Mr Jordan: —but I believe it said, "I am therefore requesting that you raise this issue with the board and ask them to resolve this in a timely way."

Hon Mr Charlton: In a timely way when there's a new chair.

Mr Jordan: In a timely way when there's a new chair. You knew very well, as you pointed out earlier, that you had the vote to put Mr Holt on retirement or out of business one way or another.

Hon Mr Charlton: Your colleagues said I knew I had the vote. What I said earlier—let's not mistake what your colleagues say with what I say.

Mr Harnick: You said Eliesen told you he had the votes.

Hon Mr Charlton: What I said, Mr Jordan, was that Marc Eliesen told me he believed he had the votes.

The Chair: Thank you.

Mr Jordan: The matter of the presidency—

The Chair: Thank you. We have no more time for this particular caucus. Mr Huget.

Hon Mr Charlton: The matter of the presidency of Ontario Hydro is an issue for the board of directors.

The Chair: Go ahead, Mr Huget.

Mr Jordan: You gave us a completely contradictory statement—

Hon Mr Charlton: There's been no contradiction in my comments at all.

The Chair: Mr Charlton, Mr Huget has a question.

Mr Bob Huget (Sarnia): Mr Minister, could you tell me what you think the most important issues are that are facing the Hydro board?

Hon Mr Charlton: The most important issues that are facing the Hydro board?

Mr Huget: The most important.

Hon Mr Charlton: I guess in that respect there are probably two key areas of concern presently for the Hydro board. One, obviously, is the rate structure and the operational costs of the hydro system which impact directly on the way in which rates have been going up over the last couple of years.

The second key issue before the Hydro board, aside from trying to figure out how to reduce the impact of significant rate increases over the next few years ahead of us, is the issue of how we restructure Ontario Hydro to deal and deliver in a very new electrical energy future in this province.

Mr Huget: Do you agree that Hydro needs to be more accountable to the ratepayers in this province?

Hon Mr Charlton: Yes, I do.

Mr Huget: Do you agree also that if Hydro had proceeded with the \$60-billion expansion program, rates in this province would have to rise?

Hon Mr Charlton: Absolutely. They would not only have to rise, but if Ontario Hydro had proceeded with the kinds of plans it tabled in 1989 before the DSPS hearing at the Environmental Assessment Board, this province would have been in significant difficulty in terms of both hydro rates and our ability to compete in most sectors.

Mr Huget: Would you also agree that nuclear power generation has a major impact on rates in the province of Ontario?

Hon Mr Charlton: Certainly in the last several years when we've had inordinate rate increases resulting from the commissioning of the Darlington nuclear station, yes, the nuclear system has had a very serious impact on rates. The experience that Ontario Hydro is going through around premature need for major maintenance like retubing of nuclear reactors is also having a significant impact on the rate structures.

Mr Huget: Would you agree that Hydro needs to get its costs under control?

Interjections.

Mr McGuinty: On a point of order, Mr Chair: We have specific terms of reference governing the proceedings of this committee, and this has no bearing whatsoever on the issue before us. If I can quote from the terms of reference, it's "An inquiry into the circumstances surrounding, and the involvement of the Minister of Energy in, the sudden departure of the president of Ontario Hydro, Mr Al Holt."

The questions being asked by Mr Huget have no bearing on that whatsoever, and I ask you, in your capacity of Chairman, to direct him to ask questions that are relevant to the matter before us. If he's not prepared to do that, then give us the time, because we could use it.

The Chair: Thank you, Mr McGuinty. Go ahead, Mr Huget.

Mr Huget: Thank you very much. Would you provide an answer, Mr Minister?

Hon Mr Charlton: Would you repeat the question, please? I got lost in that one.

Mr Huget: I guess my question was, what's your view and do you agree with the statement that Hydro needs to get its costs under control?

Mr Harnick: Mr Chair, a point of order.

The Chair: Go ahead.

Mr Harnick: I didn't hear your ruling about the relevancy of these questions, but I'm renewing the request made by my friend Mr McGuinty. Quite simply, this has absolutely nothing to do with the terms of reference of this inquiry. My party asked for 12 hours to examine "the circumstances surrounding, and the involvement of the Minister of Energy in, the sudden departure of the president of Ontario Hydro." I don't know what a discussion of Darlington and hydro rates has to do with the departure of Mr Al Holt and the minister's involvement. I would like at least the courtesy of a ruling so that we have it on the record why this is relevant to these terms of reference.

The Chair: Mr Huget, I trust you intend to get to where you're going.

Mr Huget: Exactly. I'll be there in very short order. Perhaps I could get an answer, the response on the cost control measures and how you would see those cost control measures developing.

Hon Mr Charlton: The need for cost control measures at Ontario Hydro is very dramatic. My view is that the board of directors at Hydro has made some progress in the last year and a half in terms of cost controls, but there's still a significant amount that needs to be done to bring Hydro costs into line with some of our competitive jurisdictions.

Mr Huget: How would you see that developing?

Hon Mr Charlton: How would I see it developing? It's got to happen in a number of different ways. It's got to happen in terms of operational cost: the basic operational structure, employment structure, divisional structure and so on and so forth at Ontario Hydro. It's also got to happen in terms of a really hard look by the board of directors of Ontario Hydro at its future capital spending plans. That's part of the comment I made earlier about the need for Hydro, at its October meeting of the board, to deal with reducing a planned \$10-billion set of capital expenditures

over the course of the next decade, and reduce those \$10-billion planned expenditures by \$7 billion.

Mr Huget: In order for that to happen, would you agree that all senior executives would have to buy into and fully participate in that type of cost-cutting strategy, in order for anything at all to happen in terms of proceeding in a direction of cost control?

Hon Mr Charlton: Certainly, unity around issues like that makes them much easier to deal with. Obviously, they're not precluded from happening with some dissent, but the more unified at least the senior management team at Hydro is in terms of having to pursue very difficult decisions like that, the more likely they are to happen in the most appropriate way.

Mr Huget: Would you agree that Mr Holt and the board of directors had differences of opinion or major philosophical differences on the need for strategic change at Hydro?

Hon Mr Charlton: I have certainly heard comment to that effect, but never having sat through a Hydro board meeting, it's difficult for me to define in precise terms what those might have been.

Mr Huget: Did you know that Mr Eliesen, referring to the infamous letter, would be distributing your letter to the board members?

Hon Mr Charlton: I didn't specifically know that, no.

Mr Huget: Is it your understanding that Mr Holt retired, or is it your understanding that he was fired?

Hon Mr Charlton: My understanding is that as a result of the motion that was passed by the Hydro board, Mr Eliesen entered into discussions with Mr Holt and they reached a mutual agreement around Mr Holt's retirement.

Mr Huget: Nothing further, Mr Chairman.

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Mr Paul Klopp (Huron): It's been interesting.

I come from a county, Huron, and my involvement in electricity and Ontario Hydro issues has been a long-standing involvement, through the federation of agriculture, and in fact now. About nine years ago, when I started to pay my own hydro bill, I even got more of a personal involvement in what Hydro does or doesn't do.

But one of the questions that keeps coming back to me, and I don't know if you can answer this or not, is that people in my riding over the years have talked about the management of Ontario Hydro, good, bad and indifferent. Myself, four years electricity, I've always told people that life is never so simple. You need to know a lot of issues, you have to trust a certain amount all management decisions that are made and you shouldn't criticize unless you've walked in their shoes.

I've done my share of criticizing—you can find old Hansards, I'm sure, in the federation of agriculture—but one of the things that some people have asked me on the streets, especially when the rates keep going up, is why is the opposition so interested in someone leaving, or staying for that matter, at Ontario Hydro and why are we having this special time? I don't know. Do you know that answer?

Hon Mr Charlton: I certainly can't answer that on behalf of the members of the opposition, but you have raised a couple of issues that I think are important in this whole discussion.

We find ourselves in the present circumstance in a rather unique situation for Ontario Hydro, when those who for as long as I can remember, and probably the member for Renfrew North as well—AMPCO, for example, the Association of Major Power Consumers in Ontario, and the MEA, the Municipal Electric Association—have always been very avid, very strong supporters of Ontario Hydro and the direction that Ontario Hydro has taken, all of a sudden, in the present circumstance, have found themselves being opponents of Hydro's present state of operations.

I think that's a measure of the extent of the difficulty that Hydro is faced with and is going to have to deal with as we move into the future, where you've got associations like AMPCO demanding a rate freeze in 1993. Having largely achieved the policy direction it advocated in the middle 1980s, it is now finding itself in that inevitable rate crunch that's doing serious economic damage out there in the province.

It's led us to a situation where the difficult decisions that Hydro and its board of directors are going to have to make over the next several years, as we move into the future, are much different than the kinds of decisions it's been confronted with in the past.

Mr Klopp: Thank you. That's my only question I had from Huron.

The Chair: Thank you, Mr Klopp. There are eight minutes, the balance of the time, which will be dealt with by the subcommittee, in the manner agreed upon by the subcommittee. I want to thank you, sir, for appearing here today. We appreciate your coming.

Mr Sean G. Conway (Renfrew North): I take it that the eight minutes remaining is only to the New Democratic Party?

The Chair: No, but it's not to be used here and now. It will be dealt with by the subcommittee.

Mr McGuinty: Mr Chair, just on that very point, it was my understanding that the issue of remaining time dealt with time remaining at the end of the hearing of all the witnesses and not with respect to this final time within a one-hour period.

Mr Jordan: That's right.

The Chair: It was agreed that no caucus would have more than 20 minutes but that a caucus could utilize less than the 20 minutes, in which case the remnant of time would be dealt with by the subcommittee. That was the report as submitted to the committee and deemed to have been adopted. Specifically, any time remaining will be allocated at the decision of the subcommittee.

Mr Charlton, thank you kindly.

Hon Mr Charlton: Thank you.

The Chair: Now, there are a number of matters that the committee may want to consider. One is the number of, I suppose, Dear John, Dear Jane letters that have been

mailed to the clerk. I believe everybody has copies of those. They've been made exhibits. Go ahead.

Mr Harnick: May I make a motion, Mr Chair?

The Chair: Sure can.

Mr Harnick: I would move that the balance of the list that we have asked to appear here be subpoenaed for the purpose of their attendance.

Certainly, it is the intention of my party not to ask any questions pertaining to the severance package that Al Holt obtained. That's not why we're here. The terms of reference are into the circumstances of his departure, not the package that he received by way of severance from Ontario Hydro. I and Mr Jordan have no interest whatsoever in that severance package, the contents or the details of that package, in any way, shape or form. If that will maybe allay the fears of some of the witnesses, I would like to move then that they be subpoenaed to attend here for the balance of these public hearings.

The Chair: It's my understanding that only the House can order or call upon the Speaker to issue Speaker's warrants, and this committee, of course, can, by report to the House, call upon the House for that motion to be put to the House, so you're asking for Speaker's warrants—

Mr Harnick: It strikes me that we're not going to have much of a hearing if nobody shows up. I don't know why the government wouldn't encourage all these people to attend, one of them being the deputy minister. Mr Hope holds up a document written by Mr Holt, and as I indicated a moment ago, there is no interest in the severance package.

Mr Hope: Then read the letter.

Mr Harnick: I would like him to attend, and the details of that severance package are not something that of any interest, so therefore I would like to make that motion.

Mr McGuinty: I want to speak in favour of that motion, Mr Chair. You may recollect that both the Premier and the minister have indicated quite clearly in the House that this committee and the inquiry that it's presently conducting will be able to get to the bottom of this. We can hardly do that if the only witness who's prepared to appear before us is the minister.

Just to reiterate what I said earlier, the committee has obtained—out of an abundance of caution, out of a sense of responsibility, showing sensitivity—letters, both from the Information and Privacy Commissioner and from legislative counsel. They tell us it is all right for the members of the board to appear before us.

We now are beginning to receive letters from witnesses. I'm not sure if there are any other witnesses prepared to attend before us. The issue that remains is not whether we can obtain the information; legislative counsel and the privacy commissioner tell us, yes, we can and we have the authority to do so. The issue is what is the use to which we could put that information, and that we can discuss at a later time. At the present time, it's important we get those witnesses before us.

When you look at the grand scheme of things, Mr Chair, I'm sure you will appreciate that this is one of the few privileges we as members of the opposition have: to

conduct an inquiry and to get the story behind the story. At the present time, we are being thwarted from doing that as a result of directors of the board who have received advice from legislative counsel. The minister today has not cooperated fully in the sense that he has not advised us of the contents of the severance package.

We are being thwarted from getting the information that we need and that the people of this province would like to have, notwithstanding that we've had opinions from the Information and Privacy Commissioner and from legislative counsel that we can do that and that we're right in doing so.

The Chair: And you find that it's a right very much without a remedy.

1640

Mr Harnick: Mr Chairman, you are here for a particular purpose, other than to take up room in the chair. Quite frankly, I know full well that if questions were being asked that were improper, you, more than anyone in this room, would have the knowledge to instruct immediately a witness not to answer that question. A person such as yourself, learned in the law, particularly in the rules of evidence—

[Laughter]

Mr Harnick: Your colleagues laugh—

Mr Hope: That's at you.

Mr Harnick: —but I happen to know that you, more than anyone in this room, have the ability to do that. They may not think much of your ability, but I think very highly of your ability.

The Chair: God bless you.

Mr Harnick: Furthermore, I keep watching people hold up this little scribbled piece of paper, but that little scribbled piece of paper doesn't tell me about Mr Holt's retirement party and it doesn't tell me about the two security guards who accompanied him to his office and gave him one half-hour, I believe, to clean out his desk.

Mr Len Wood (Cochrane North): Read the letter, Charles.

Mr Harnick: I didn't see anything about that in the letter, Mr Wood. I didn't see anything about the retirement party or what they served that day. I want to know whether they were drinking beer or champagne, but the fact of the matter is there are a whole lot of questions that can be asked that bear little resemblance or even come close to dealing with the severance package.

What I would suggest happen is that we see if we can obtain the Speaker's warrants, and I'm sure my friends are not going to object to that because they want to have a full and open hearing, subject to your ruling on the evidence as need be.

Furthermore, I think we should ask these people to come without warrants on the understanding that we're not going to be delving into the severance package, if that is what the big dilemma is. I know that my friends on the government side are interested in having all these people appear and they're interested in hearing what they have to say, because they know that it may well exonerate the minister.

Mr Conway: I just want to make a couple of observations. I appreciate the difficulties that seem to be inherent in this process, but as one of the people who was around when this standing order was written into the rules a couple of years ago, I think I can say that the intention was to provide an opportunity for members of the Legislature and, quite frankly, opposition members of the Legislature, to exact some accountability from government where they felt they wished to exact and extract that accountability. So it's a very interesting experience, because this is probably one of the first occasions when this standing order 123, now 125, is being tested.

Again, it's difficult, because a number of people who are involved in this understandably weren't here when these changes were made, and I can appreciate that, but the intent of this provision was to provide an opportunity for members of the Legislature, many of whom felt that they were simply not being given an opportunity, to pursue issues that were of interest to them, and obviously in many cases those issues that were of interest to them were not going to be of interest or of liking to government. The notion was that standing order 123 would provide a more enhanced role for members of the Legislature to exact that accountability. That's the first point.

The second point is that what we now have in front of us in this particular reference, for whatever reason, I think comes close to constituting a contempt of the Legislature, if it is possible in our proceedings. If any of us thought we were going to be permanently in government, then I think you would clearly try to restrict this as tightly as possible. That was not the intention when the rule was written, though there were many people in government who did not like what 123 contemplated.

I think any self-respecting member of Parliament would or ought to be concerned about a situation where, under a standing order of the Parliament to which the person belongs, an inquiry is launched and then essentially many of the key participants in the inquiry, many of whom are under the umbrella of the public sector, simply decline to participate in the proceeding and therefore reduce the proceeding to a nullity. I think that is something that ought to concern people. If we allow that to happen in this instance, I think we might really want to think about where that leads.

The member for Cochrane North is waving around Mr Holt's letter, and I appreciate that. I read this letter. I think I know exactly what I have in front of me. To me, this looks like a significantly lawyered letter. I think I do know what happened here.

I may be different from other members of the opposition. Particularly given the policy the government enunciated with the amendments to the Power Corporation Act, the amendments that were Bill 118, I perfectly respect the right of the government to decide a course of action for Ontario Hydro. I believe that is what the government did in this case. I may not agree with it, but I entirely accept the right of the government to have done so.

What I find really passing strange about this proceeding this afternoon is that the government now seems to be so shell-shocked and so paranoid that it doesn't even want

to admit to what it clearly did. That is certainly puzzling to me.

But I simply say, speaking to the point that was raised by my friends from Ottawa and Willowdale, that before we adjourn these proceedings, I think we all better think a little bit about where we now find ourselves. There is an issue that is very much of interest to members of the Legislature, an issue, believe me, that is an issue with a lot of people in the province.

My friend from Sarnia talked about some of the issues that concern him. I've got to tell you, in rural Renfrew county, where people depend on Hydro to a very real extent, the idea that a multimillion-dollar termination agreement was paid out, for whatever reason, will be of very real interest to the people I represent. They would be very interested to know the circumstances around that. It may not be of interest to the minister, it may not be of interest to some members of the Legislature, but I can tell you, as one member, that kind of—some of you were here. A former Clerk of the Legislature was once given an interesting separation, and boy, there were a few people around here, and we were in government then, who thought that mightn't be such a big issue, because clearly it was done on the advice of lawyers. Well, the good folks outside of the pink palace were in a rather different mood when it came to the separation that had been afforded Mr Lewis.

My concern is that we are sitting here, after several days of preparing for these hearings. We've now had a very summary appearance by the minister. The idea that he was allowed to be here for 53 minutes is to be noted. I certainly had a number of questions. I suspect that other members had additional questions that I do not feel—and I understand entirely the pressure on ministers' time. I remember spending a year of my life, almost, in this room, and I probably had better things to do, I thought, but members of the Legislature wanted to ask questions about important public policy and they had a right to do so. That we got 53 minutes of the minister's time today to have five members put questions I think is interesting but not adequate.

Beyond that, we now have a situation where we have a party to which none of the invited guests show any inclination of attending, for a whole series of reasons that we could speculate about, and I just think any self-respecting member of Parliament, legislative committee and parliamentary body in general would be concerned about the fact that the will of the Legislature, as expressed through one of its committees—and I use this reference as one example—could be just so breezily ignored. If that is what this Parliament wishes to have as its legacy in this matter, the devilish part of me wants to say, "Be my guest," and, "What goes around comes around," but I think it would be a very wrong decision.

1650

I conclude, again, by observing that a lot of members of this Legislature and other parliaments say, "We don't feel very useful, we don't feel very important, because we really can't get our teeth into anything." Members opposite may not like this particular effort, and I can understand that. If I were in government I probably wouldn't like it

either. But, I tell you, to be left with this spectacle now after 53 minutes of, in some cases, delightfully sweetheart cross-examination of the minister, whose conduct in this matter I think is very questionable—my friend the member for Lanark-Renfrew has put that case more passionately than I have. But I just think that to allow this reference to vaporize after 53 minutes and to simply allow people to say, “Oh, well, I’m away”—I liked Mr Davies in his wonderful way just telling us how he just certainly couldn’t make himself available.

I’ve just got, I guess, too much self-respect to allow any parliamentary proceeding to be abused in the way this apparently is about to be abused, and I don’t believe it is the kind of precedent that honourable and self-respecting members of Parliament—

Mr Wood: Thousands of people take the pension every year, Sean. Thousands and thousands.

Mr Conway: Actually, to be perfectly honest with my friend from Cochrane North, the issue for me is not that somebody has taken a pension. I mean, there’s something almost surreal about the discussion in here. We have a letter which I hadn’t seen before today, and my friend from Willowdale and the member from Ottawa were talking about this. Where I come from, we’re fairly direct, plain-spoken folk, and when somebody writes me and says, “Because of the Hydro board’s decision to request me to retire from my position as president of the company,” we call that dismissal or firing.

If the government wishes to fire the president of Ontario Hydro, it is clearly the right of the government to do so. You strengthened your right in passing Bill 118; I’m not quarrelling with that. What I find incredible is that we’re having this debate this afternoon. To hear the minister talk about what he does and does not know is, for me, really incredible. I know the minister. He’s not a fool. But I’d have to take him as a complete nincompoop to believe the things he’s put before us in testimony, and I don’t believe him to be a nincompoop.

But here we have, “Well, did Al Holt retire?” It’s quite clear to me that Al Holt was fired by the government, from the government’s point of view, because the government felt Mr Holt was an obstacle to new directions at Ontario Hydro. I don’t think he should be embarrassed about that. It’s your right to do that. You might very well be embarrassed.

I have an interest in the severance question. It is, I think, a matter of some embarrassment that if you fired somebody after 36 years at an annual salary of something in excess of \$300,000, the people at Hydro, whether your lawyers or your human resources people, are going to tell you—it wouldn’t take 10 seconds for a senior human resources person at Hydro to say, “Well, Minister, chairman of the board, you understand this is going to produce a separation allowance in the seven digits.” There’s no one who is going to take more than 10 seconds to give you that advice.

In that respect, that’s why Mr Holt’s lawyered letter, in my view, is both necessary and helpful to the government’s case. One of the questions I’d like to ask somebody

is, accepting the government’s right to fire the chief executive officer or the chairman—and governments have done it before. I mean, a Liberal Premier did it in a very complicated and not particularly efficient way some years ago. You’re not the first government to face this problem. I just don’t see what the problem is in admitting it.

“We are the duly elected government. We do not like the policy that Hydro has been pursuing, for the reasons that the member for Sarnia was, from his point of view, very carefully outlining in his questions, and we want new direction.” You’ve won the right to do that.

You do not have the right to then cover up what you’re doing. That’s why I find this proceeding this afternoon bizarre. Are you so paranoid now and so shell-shocked that you don’t even want to admit to the things that you’re clearly doing and have the right to do?

I’m repeating myself and I apologize for that, but I say finally, again, that for any self-respecting member of this Legislature to allow this proceeding to terminate after 53 minutes of questions and answers to and from the Minister of Energy, and with a fairly long list now of germane witnesses saying, “Oh, I’m sorry, but we are otherwise engaged,” is I think to quite frankly bring upon yourself, myself, ourselves the cynicism and the opprobrium that the community is increasingly willing to assign to us because it sees some gap between what we say we want and what we actually do when we’re given the opportunity to do some of the things we say we want to do.

One of the reasons we’re here today, under section 125, is that private members have said for a long time, “We want to have more say in some of these committees around policy issues that we, not the government, determine as a matter of public interest.”

Mr Huget: I think there’s a little more to this than as it was laid out by the member for Renfrew North. There’s the whole question of balance here, I think: the balance of personal privacy and the balance of a public interest or a public need to know.

If you look at what has been submitted to this committee, I think Dr Mathur’s letter is a good example. He states in his letter that, “It is paramount that discussions by members of the board, regarding personnel matters, as they relate to any employee,” which Mr Holt was, “not be disclosed.”

That’s the issue at stake here. I take offence at someone suggesting that the government members of this committee are involved in some kind of coverup process to the person. The board members themselves have responded and said, “No, we are not prepared to violate personal privacy.” That’s the question here.

Mr Holt’s letter is pretty clear. So I don’t get the sense, certainly from the board members, that what you’re saying is an accurate reflection about how they feel. In fairness as well, I have to admit that during the process of these hearings I raised a caution to people on this committee countless numbers of times. Was the committee prepared to put people in a serious position of conflict?

I must say, from the opposition I got some degree of concern. I also must say that from the third party I got no degree of concern whatsoever. It’s a fundamental issue of personal privacy, and that’s all that I think these letters and

these responses are pointing out. I don't recall a response that would be the same as the member for Renfrew North has alluded to, the one that says: "We're just busy. Don't bother us." Not so.

Mr Harnick: Quite frankly, I don't believe we have to get into the details of the personnel records, as I said before. I said I felt that you could easily adjudicate on those issues as they arose, but it may well be worth this committee looking at the idea, if it became necessary to get into those personnel matters—which I don't believe it is—that we could move to an in-camera proceeding in order to do so.

I don't think it would have to happen, because I don't think those issues are particularly the reason we're here. I think that is yet another method of being able to resolve this difficulty. At any rate, the clerk has asked me to make my motion in a formal sense, whenever you want me to do that, Mr Chairman.

The Chair: You'd better move the motion that's going to be the motion that's going to be voted on.

Mr Harnick: Yes, sir. My motion is that the committee report to the House and request that a Speaker's warrant be issued to summon the invited witnesses who have declined the committee's request to appear before the standing committee on resources development if the witnesses do not agree to attend voluntarily upon receiving a second request from the committee.

Mr Jordan: I would support that motion.

1700

Mr McGuinty: I am in favour of that motion, as you may have gathered, Mr Chair. Just so the government members fully understand what we're contemplating doing here, if they defeat this motion—we had contemplated having, I guess it is, some nine witnesses appear before us, and each would take at least an hour. We had some time to deal with subsequently if they didn't consume the entire hour. We've had 53 minutes of evidence from one player only. We will not have the opportunity to cross-examine any other witnesses to either corroborate or contradict the information the minister provided to us today.

I think it's critical to note that the legal advice stems from one source. The legal advice that's telling these people they can't come before us all comes from Ontario Hydro, and Ontario Hydro happens to employ seven of the nine witnesses. I would suspect that more than a few of those witnesses would be prepared to attend before us and to testify.

Just as a case in point, if you look at this letter provided to us by Mr Holt, in here he says that if he appears, if it's going to constitute a breach of the provisions of his agreement, it could potentially expose him to legal action. If that is not a threat of sanctions if he was to appear before this committee and provide us with information regarding his departure from Ontario Hydro, then I don't know what is.

This committee, this inquiry, is going to be totally eviscerated if the government members don't support this motion. The necessary safeguards will be in place. We've already shown our intention in that regard. We've obtained

two legal opinions. Those lawyers say that it's okay for those people to appear before us. The additional safeguard is your presence on this committee. If you want to disallow a question, you disallow it. If we want to go in camera, we go in camera. If we want to set terms as to the uses to which we put the information we acquire, we do so. There is no legitimate reason not to proceed to bring these witnesses before us.

Mr Conway: Again, I want to just focus in on what it is that is being sought here. My friend McGuinty read the reference, and everyone has it. Essentially, what this committee seeks to do under this reference is to inquire into the circumstances of Mr Holt's departure from Ontario Hydro. That's essentially what the committee is about.

A number of people opposite have raised the concerns, and they're legitimate concerns, about how far any kind of parliamentary inquiry can go into matters of remuneration and severance, and I understand that. Let me be honest: We don't need Al Holt for that. I can make it very easy for you. If anybody's interested, we can pick a couple of human resource people, bring them in and let them testify. I won't take them very long to tell you what a 36-year veteran who's earning \$300,000-plus is going to be given if he is "asked by his employer to retire from his position." Any of you who've had any experience in management will know how that world works.

I wouldn't want to embarrass Mr Holt in putting those questions directly, because I don't need to put them directly to him. I can understand why Hydro, with a good lawyer, would tie him down to the kind of policy and the kind of position that is so clearly outlined in his November 12 letter. But I think we have clearly a right to have Mr Holt and board members—I don't think we necessarily need every board member, and I can understand how not everyone might be available, but all I have is what I have in front of me. We've thrown a party and nobody is coming.

Mr Hope: What does that tell you?

Mr Conway: That tells me a number of things, I say to my friend from Chatham.

Mr Hope: I thought you'd go to 6 o'clock, so I just thought I'd help you—

Mr Conway: It's good to know that Clarence Darrow had children. I just want to say this: It is my view that the committee has a right to reasonably request a number of people to come to address the subject of this reference and I think we can do it. I agree with my friend McGuinty that the Chairman, who is a rigorous fellow, as we all know, has the right to protect us from ourselves, but I don't see this business of the right to privacy.

The minister made a comment, which I don't agree with, when he was here. He said that the member for Renfrew North will remember the days when we passed freedom of information. You want to believe I remember those days, and I don't remember anyone, including my friend the sainted Donald C. MacDonald, late of York South, imagining that the day would come when the freedom of information act was going to be the shield behind which we could hide a whole series of data otherwise available to the public. That certainly wasn't my intention.

I can remember, when I was government House leader, a member of the press phoning the Board of Internal Economy wanting to get information that had been available for years. It had to do, quite frankly, with a member's pension. In my view, that information ought to be public. It is public information. The reporter was told that information he'd gotten for years was now no longer available. That, I've got to tell you, was not what I thought I was passing when I passed freedom of information, and I don't accept the notion that it's now a shield that will deny the public a right to a lot of information that—

Interjection.

Mr Conway: I'm just trying to make my point to my friends opposite that what we are about as a committee is an inquiry into the circumstances surrounding the departure of Mr Al Holt from the presidency of Ontario Hydro. We've had a clear indication from a lot of witnesses, whom I think we ought to have, that they are unwilling or unable to attend, and I just don't want to leave here today without some commitment on the part of all of us that we are going to pursue this to a point where we have Mr Holt and some representatives of the board and anyone else we think is germane to this inquiry.

We cannot allow the situation to obtain where a legislative committee inquires—and I can imagine cases where the reference might in fact be out of line. I don't believe this to be one, particularly in light of what the government itself said a few years ago, and I respect the informing principle of Bill 118, "We want, as a newly elected government, to have more accountability of Hydro."

Surely this is an accountability exercise. I see it as being very compatible with the stated plan of the government. As I said earlier, I don't have a problem—some might—with the government saying, "We don't like the direction and we're going to change some of the players." I might have a very real question with the way you did it. I tell you, before I fire somebody who's going to cost me that much money in separation, I might be looking for some alternative strategies that are not going to cost my ratepayers nearly that kind of money. Believe me when I say that big corporations, whether public or private, are doing those kinds of things all of the time—you know, sending some senior executive on an 18-month study program or whatever.

I don't need to know what the exact separation was because I think I know what it was, but it might be interesting to talk to somebody, not Mr Holt, about: Did anybody bother to look at other strategies—moving him out of the presidency but perhaps giving him some other assignments that were somewhat less onerous in a financial sense to Hydro ratepayers?

Mr Wood: He took a pension.

Mr Conway: I don't know what he took. All I know is that the total package is a seven-digit package. That's a pretty expensive separation. I simply say that we've got to remember why we're here. The reference is clear on that and I think there is a way to do our business that respects the integrity of the privacy provisions of the freedom of information policy while at the same time allowing

members of this committee to have a good discussion about an issue that they have identified as one of concern to them and many of their constituents. A good steering committee quite frankly ought to be able to work this out. It's not an insurmountable problem, in my view.

1710

Mr Huget: I want to refer again to the letter by Dr Mathur, who clearly states that personnel matters, as they relate to an employee, which Mr Holt was, are personal, private and should not be disclosed. I think several other board members echo the same sort of sentiments.

I think it's important to understand that the freedom of information and protection of privacy law strikes a balance between the public's right to know and a private individual's right to protection against unwarranted examination of personnel files.

Mr Conway: But it's quite clear, Bob—

Mr Huget: We can have a two-way conversation out in the hall, if you like, but at the moment I'd like to conclude. This government will not break the freedom of information and privacy laws just to force board members to appear at this committee.

The Chair: Before Mr Conway, as Chair—and it's not a matter of taking a position on the motion—it seems to me that it's clearly for people, if they have a problem with the questions that are being put to them, to say that they have a problem and why they have a problem when they're sitting here as witnesses before the committee, but not to deal with that in advance, before being aware of what any of the questions are, by simply saying, "I'm not going to come." It seems to me that committee members and members of the Legislature have their partisan responsibilities, but they also have a responsibility to make sure the system works.

I'm not particularly impressed with the nature of the standing orders, which seem to leave it to the majority as to whether a Speaker's warrant can be called for, but it remains that this is the way the standing orders are as they stand now. But it would bother, I think, most people, because the message that could well go out is that legislative committees simply don't have any impact of any sort if the government wants to use its majority to preclude the request for Speaker's warrants. This impacts not just on this issue, but on any number of issues that can be dealt with down the road.

Ms Sharon Murdock (Sudbury): Just as a question, how is that not taking sides, Mr Chair? I was just wondering how exactly is that not the taking of sides.

The Chair: It's an observation about the process, and it's a prediction as to what will flow from a refusal to call witnesses. Witnesses have an opportunity—

Ms Murdock: As Chair, I don't believe it is your right or duty—

The Chair: One moment: Witnesses have an obligation, an opportunity, once they're here, to express concern or object to questions put to them and to state the reason for those objections and to have that adjudicated.

Mr Stephen Owens (Scarborough Centre): You're being very presumptuous, Chair.

The Chair: You don't do that by refusing to attend, and no forum, judicial or quasi-judicial, could ever function if that were the case. Go ahead, sir.

Mr McGuinty: Your comments are well taken and well received, Mr Chair.

I would commend to the members reading something I had a chance to go over, and that is the debates surrounding the original 123 motion and the reasons why the NDP and the Conservative parties of the day, as represented in this House, gave up some significant rights they had, which they had taken full advantage of at the time. They did that on condition that 123, now 125, be included.

If the government members don't support this motion here today, then we might as well not have this provision in our standing orders. We might as well not be able to call for an inquiry since you're going to dictate who it is we can and cannot have appear.

Mr Owens: This is not an inquiry. That's not what was envisioned by us.

Mr McGuinty: There is no doubt about that whatsoever.

Mr Owens: This is not an investigation. It's not an inquiry. I don't understand why you think that.

Mr McGuinty: If I might continue, Mr Chair, one of the concerns we have—it's the primary concern, the overriding concern—is that if we can't convince the government members to come to some kind of understanding, reluctant though they may be, that this is supposed to be, as the original intent was, an opposition-driven procedure—it is our kick at the cat; it is the only one we get—if we can't take advantage of this, then there's nothing that we can do in terms of bringing about some kind of procedure that will enable us to obtain information the government members are not willingly providing to us.

I can go on to say that the government members are implicitly telling us that they're not interested in the amount of Mr Holt's severance package. Whether it's \$12 million or \$1.2 million doesn't matter. That's something that Hydro's board of directors dealt with. That's something between them and Mr Holt. I would argue differently. I think the people of this province, and Hydro's ratepayers in particular, would be very concerned about the amount that is being paid to Mr Holt. I think, as the people who are footing the bill for this, they are legitimately entitled to know what that amount was.

Mr Conway: I have just a couple of comments again. By the way, I want to say to Steve Owens that I was around. I remember having to negotiate this, and the intent is exactly as my friend the member for Ottawa South has pointed out. I was somewhat reluctant to give it, as the government House leader. It was part of a trade. The trade on this was that the members were going to have essentially some opportunity to initiate inquiries and examinations on their own, apart from government.

Mr Owens: When you're talking about compelling witnesses in terms of an investigation, that's not what's envisaged by this section.

Mr Conway: With all due respect, the parliamentary committees here do have a practice of asking and sometimes demanding that people attend at their proceedings. It wasn't expressly stated because it's part of the convention, but there was no question at the time of the negotiations what this was. Just as we got rid of the emergency debates and created opposition days on that trade, there was another trade here.

An awful lot of members, including a lot of government backbenchers, were just fed up. They were going through mindless estimates processes that were a waste of everybody's time and effort. This provision was an effort to respond to a number of concerns around the issue of parliamentary reform: How can we make this process more meaningful for private members?

What we did here, and what I believe everyone who was there thought we were doing, was create a mechanism to allow committees, under certain conditions, to launch their own investigations in a way that would be consistent with other aspects of the parliamentary procedure including inviting witnesses to come and appear before them.

I want to come back to Bob Huget's comment. I look at Mr Holt's letter. It certainly does talk about the agreement he's made with Hydro, and I understand that. Believe me, I understand that intimately. But he also talks in this letter about differences of opinion on policy matters, which again doesn't surprise me. Surely, that's a legitimate thing for this committee to question Mr Holt about.

Parallels will fail me here, but can you imagine being a shareholder at General Motors and maybe part of the Stempel crew and you go to the next shareholders' meeting and somebody says, "Oh, well, we can't tell you what we did in respect of Mr Stempel's departure"? I think the shareholders would go completely bananas if they couldn't get some accounting from their management team as to what happened at the senior levels of that corporation.

What I see our job here as simply being is to invite Mr Holt and others to talk about what it is we want to talk about and what it is they're prepared to talk about. There will be some questions in this process, like in just about every other process, where people decline to answer, take legal advice that suggests they shouldn't answer or just choose some other avenue of not answering the question. I'd be very surprised if it didn't happen.

That we simply allow people to write us nice letters and say, "Oh, well, I've got an agreement that's pretty all-encompassing and I don't really think I should attend." Reference has been made to Professor Mathur's letter, and fine. I respect his right to come here and say, "I'm not going to answer questions around personnel." I could put the question and he could put just that, and I have to accept that. But I might very well want to talk to him about many other things quite apart from the personnel matter. I might want to talk to him about the policy direction. Since the minister is absolving himself of responsibility, saying it's all the board's—

Mr Wood: He doesn't work there any more; he quit.

Mr Conway: Why do I do this to myself?

Mr Hope: I don't know.

Mr Conway: I know.

1720

Mr Wood: It's like calling back Peterson.

Mr Conway: We might very well want to. We've called former premiers back here. We might very well want to call back David Peterson. The point is you seem to think that just because there has been an agreement between the Hydro corporation and Mr Holt, that is the end of it and there is no power in the Legislature to inquire into those circumstances. If you believe that, then you didn't believe any of the stuff you said a year ago about improved accountability in Bill 118. I know you believed what you said about Bill 118; it was not an unreasonable position.

I repeat that it's not an unreasonable thing for New Democrats to say, "We don't particularly like the policy that Al Holt was pursuing and we want him out of there." I don't think you've got that right. But that somehow just because Mr Holt's lawyers have met with the Hydro lawyers and they've agreed to consummate an agreement and he no longer works at Ontario Hydro and therefore, thereby, we have no opportunity to ask any questions and to inquire into the final days of that relationship, the final year or whatever? Surely you don't believe that. I know you don't.

Mr Huget: First of all, I want to make it perfectly clear that this party in opposition very strongly supported standing order 125, which used to be 123, for a very simple reason. It gave the opposition parties a mechanism to deal with issues they wanted to deal with. I wasn't there at the time, Mr Conway, but I would bet that all members who supported this standing order—and I believe it was supported by all parties in the House—did not see it as a vehicle that could be used or should be used as a vehicle that would undermine or attack the freedom of information laws and the privacy laws in this province.

I don't believe that was the intent. If you look at the responses you're getting—you refer to Mr Holt's letter; I refer to Mr Mathur's letter, but I guess we could refer to Holt's as well—it's clear that these people are concerned about the privacy of personnel matters. Mr Holt was not beamed down from some other planet years ago to just show up here and then was beamed away. He's an employee of the corporation. There's a fundamental understanding and I think a fundamental principle here about the discussion—and all the board members refer to it—of private personnel matters.

My point is that Mr Holt was an employee of the corporation. He has retired. He should be allowed to retire in privacy as anyone else would without unwarranted examination of his personnel records or personnel discussions or discussions the board may have had on personnel matters. Fundamentally, those are privacy issues. I think to do anything else other than respect the privacy and freedom of information legislation in this province amounts to nothing more than a witchhunt.

Mr Conway: The member for Sarnia, who's a very able and sensible fellow, seems to see this as only a matter of personnel relations at Hydro. Obviously, I don't share that view. There once was another president who went on ad nauseum about executive privilege and what he believed executive privilege covered. There were a lot of people in Congress and ultimately there were a number of people on the judiciary who said, "Mr President, your executive privilege does not have nearly the sway you think it has." I just come back again to—

Interjection.

Mr Conway: I'm just sitting here listening to what I'm being told. As I said earlier, part of me says, "Make my day." If this is the legacy the New Democratic Party wants in this place, I suspect I will be more a beneficiary of it than you might be. I might be wrong but I'll certainly keep this Hansard for a few years, because you can't realistically believe that a legislative inquiry can be thwarted because some people whose conduct is at issue simply decide to say, many of them in unison, "We conclude that this is a matter of personal and private salary, benefits and separation allowances, and therefore on the basis of our determination of what the real issues are, we're not going to attend."

You can't believe that. You wouldn't tolerate it in any other environment and I know you don't really believe it here.

I say finally that I accept the right of people to come and indicate what they choose not to answer. If they believe the questions are impertinent and intrude on the sacred ground of salary benefits and separation allowances, then they have every right to claim that privilege. But they have no right to not show up here on the ground that everything the committee might ask falls under the umbrella of freedom of information and the right to privacy.

Mr Harnick: For clarification, Mr Chairman, which witnesses have indicated that they will be coming or that they're not objecting to being here?

The Chair: Perhaps the clerk could respond to that, please.

Clerk of the Committee (Ms Tannis Manikel): So far, I have had no response in the affirmative except by the minister. I am still waiting for responses from three people: Larry Leonoff, Joseph O'Brien and Anne Noonan. I haven't heard from them and everyone else who was invited has declined.

Mr Harnick: There was another gentleman by the name of Mr Hinds.

Clerk of the Committee: Yes. His letter is in the exhibits before you today. He has said he is unavailable until November 28 or out of the country until November 28. He's back in the country after that, but he is tied up on November 30, December 1 and 2. We do have a number to contact his law office in Sudbury.

Mr Harnick: So we can accommodate him and we can renew our request about Mr Leonoff and see if he can come on Wednesday.

Clerk of the Committee: Yes. If that's what the committee directs me to do.

Mr Harnick: I just want to say it's interesting that this will be the third standing order 125 committee hearing the government will have effectively shut down because of the positions it has taken. They didn't permit a hearing into an investigation by the OPP of MPPs' offices from proceeding two weeks ago; they didn't permit a victims' bill of rights, standing order 123, a year ago when the Attorney General convened his own hearing the very same day, using the very same witnesses. You know it just smacks of total paranoia when the government members on a committee can't trust their colleagues and their Chairman, the government-appointed Chairman, to be able to control the process.

The Chair: Please, Mr Harnick, the Chair is an elected position.

Mr Harnick: I'm sorry, Mr Kormos. My humblest apologies.

I just can't understand for the life of me what people are protecting, what they have to hide and why they won't permit a very obvious inquiry with very obvious parameters to take place.

Mr Conway: If it's at all helpful, you might talk to Richard F. Johnston, Esq. Richard and I participated in a legislative inquiry well before the days of 123s. We did an inquiry into the circumstances surrounding the closure of Lakeshore Psychiatric Hospital where Richard, a newly elected member of the New Democratic caucus, did wonderful work.

It was a pretty sweeping inquiry in terms of the people we had and the kinds of questions we raised, and the government was having a complete conniption. The public accounts committee once had a very interesting inquiry into doctors' billings. I well remember a very distinguished member—

Ms Murdock: Did you use Speaker's warrants in all of those?

Mr Conway: In some cases, yes, there was a requirement for a Speaker's warrant, partly because in our system of parliamentary democracy there is the notion that Parliament is important—it's supposed to be independent—and when Parliament summons individuals to attend at its proceedings, that's viewed as an important, significant invitation.

Ms Murdock: The valour and the glory.

1730

Mr Conway: No, it's not the valour and the glory, I want to say to say to my friend from Sudbury. The idea that you can simply tell Parliament, when it invites you to attend at its proceedings, that you're busy or that you have decided the parliamentary inquiry covers areas you figure are outside of its responsibility is absolutely revolutionary.

As I say, if you pulled this stunt in Westminster or if you pulled it—I can't imagine pulling it, because I would expect to be summoned someplace to be told what the conventions of our parliamentary system are all about. That New Democrats, of all people, are prepared to accept

the notion that somebody else gets to define and decide the meaning of a parliamentary investigation is to me—that's a first. I've never heard that before. It's a good job Stephen Lewis is not around here.

Mr McGuinty: In terms of the precedent, Mr Chair, I think it's important to understand as well—I'm sure the committee members want to understand this—that any witnesses in the future can raise the spectre that somehow their appearance before this committee will in some way involve a breach of some statute by which they are bound.

We have obtained the necessary opinions. I think surely the committee members would want to ensure that the ultimate decision-making power with respect to whether something is going to be in breach of some regulation or statute should rest with us. We have the ability to obtain necessary opinions, and we always have a Chair who sits, presides and makes the requisite decisions from time to time. So just think of that.

In future, witnesses who are called upon to appear before this committee or any other legislative committee will be able to raise the spectre that their appearance before us, before the committee, will somehow bring about a breach of some regulation or statute and that they have decided that matter for themselves. They have considered it at some length and in their heart of hearts they feel it would be inappropriate for them to appear, and, "Thank you very much for the invitation, but we can't make it."

The Chair: All those in favour of Mr Harnick's motion? Opposed? The motion is defeated.

Mr Harnick: May I make another motion, Mr Chair?

The Chair: Sure.

Mr Harnick: I move that we again ask the people who have refused to attend to voluntarily attend before us for the purpose of this inquiry and that it be specifically provided in the invitation to them that they will not be asked anything to do with the details of Mr Holt's severance package.

The Chair: It's an interesting motion. It's on the floor.

Mr Conway: I guess it begs the question. I mean, I'm very happy to support my friend from Willowdale, and maybe we should send little baskets of candies to the prospective witnesses and tell them we'd really be very happy to have them and we'll treat them with kid gloves and they should fear nothing from an appearance at Queen's Park.

It seems to me that this motion, like the one before it, begs the question, what do we do if we are here and nobody chooses to come to see us and we make no effort as a committee to encourage people to come? Is it the view of the majority of members of this committee that then the committee just necessarily lapses? That would not be an unreasonable conclusion.

The Chair: You know, I trust, Mr Harnick, that the clerk's policy is to issue a second invitation in somewhat terser language in any event.

Mr Harnick: I think the language should be very—I don't mind if it's more terse, but I think if it specifically states that we will not be examining into any of the details

of the severance package per se and that if any such questions are asked the Chairman will not permit the questions, then perhaps they may attend. At any rate, my understanding is we will be here on Wednesday to hear the evidence of those people who haven't declined.

Mr McGuinty: A pretty short list.

Mr Harnick: Well, we can do one witness a day for the rest of our lives.

Mr Conway: Do we have any witnesses willing to be here Wednesday?

Mr Harnick: Mr Leonoff has not indicated that he wouldn't be coming. Mr O'Brien has indicated that he may attend. Mr Hinds may be available on the 30th of November, or whatever date it is. If those are the people who are prepared to attend, let's hear from them, starting Wednesday. I don't want to give my friends on the government side the satisfaction of totally closing this hearing down if there are people who are willing to attend.

Mr McGuinty: Perhaps it would be of some use to provide, when the clerk sends off a second letter—I'm not sure what premise we're operating under here now,

whether we're dealing with this motion or we're just talking about a second letter.

The Chair: We're talking about the motion that's on the floor. Mr Harnick hasn't withdrawn it.

Mr McGuinty: All right. Then, perhaps by way of a friendly amendment, we could incorporate into the motion a directive that the clerk send a copy of each of these letters from the legal counsel we have consulted.

Mr Harnick: Agreed.

The Chair: Any further discussion? All those in favour of Mr Harnick's motion please indicate.

Mr Huget: Mr Chairman, I couldn't get your eye before the vote, but I was going to say that it's routine procedure for a second request and that we would have no problem with that second request being made.

The Chair: All those in favour of Mr Harnick's motion? Opposed? This motion passes.

We are adjourned until Wednesday afternoon at 3:30.

The committee adjourned at 1739.

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STANDING COMMITTEE ON RESOURCES DEVELOPMENT

- ***Chair / Président:** Kormos, Peter (Welland-Thorold ND)
- ***Vice-Chair / Vice-Président:** Huget, Bob (Sarnia ND)
- *Conway, Sean G. (Renfrew North/-Nord L)
Dadamo, George (Windsor-Sandwich ND)
- *Jordan, Leo (Lanark-Renfrew PC)
- *Klopp, Paul (Huron ND)
- *McGuinty, Dalton (Ottawa South/-Sud L)
- *Murdock, Sharon (Sudbury ND)
Offer, Steven (Mississauga North/-Nord L)
Turnbull, David (York Mills PC)
Waters, Daniel (Muskoka-Georgian Bay ND)
- *Wood, Len (Cochrane North/-Nord ND)

Substitutions / Membres remplaçants:

- *Harnick, Charles (Willowdale PC) for Mr Turnbull
- *Hope, Randy R. (Chatham-Kent ND) for Mr Waters
- *Owens, Stephen (Scarborough Centre ND) for Mr Dadamo

*In attendance / présents

Clerk / Greffière: Manikel, Tannis

Staff / Personnel: Anderson, Anne, research officer, Legislative Research Service

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Ontario Hydro president

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Deuxième session, 35^e législature

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Mercredi 18 novembre 1992

Comité permanent du développement des ressources

Le président d'Ontario Hydro



Chair: Peter Kormos
Clerk: Tannis Manikel

Président : Peter Kormos
Greffière : Tannis Manikel

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Wednesday 18 November 1992

The committee met at 1530 in committee room 1.

ONTARIO HYDRO PRESIDENT

Consideration of the designated matter pursuant to standing order 125, relating to the departure of the president of Ontario Hydro.

The Chair (Mr Peter Kormos): It's 3:30. We're going to start. All caucuses are represented. There's a quorum.

I can indicate to you that there are no witnesses present to participate. I'm going to call on the clerk to update the committee on the status of invitations and potential witness or participant response. I want to remind people that the 12-hour time frame in which the 125 issue is to be dealt with is the 12-hour time frame considered by the subcommittee for the hearing of witnesses and the writing of a report. These procedural matters do not detract from that time.

Clerk of the Committee (Ms Tannis Manikel): Starting on the first thing, Mr Hind has indicated dates that he could not appear, so I've been contacting his office to try to schedule him for December 7. We haven't confirmed that yet.

You have before you two letters. One is from Anne Noonan, in response to the first letter I sent out, indicating that she will not be attending. The verbal response from her on the phone seemed to indicate that she didn't have time to come to Toronto for the hearings. I don't know whether I should be sending her a second request or not.

I called Mr Leonoff to see if he could attend today, but he's in Washington so he couldn't attend and I haven't heard one way or another on Monday.

We had a phone call from Mr Joseph O'Brien. He thought the matter had been put to rest and that's why he hadn't responded to our letter. He will not be attending.

You have before you another letter from Mr Mathur. He has indicated to our second request that he will not be attending.

I had a call this morning from Mr Al Holt. He received the second letter from the committee. He had no objections to appearing before the committee per se but, because of the clause in the agreement, he did not feel he could in any way attend unless Ontario Hydro agreed that he could attend and talk to this committee, or pursuant to a Speaker's warrant. I think that's everyone I've heard from.

The Chair: Thank you. I'm satisfied at this point that the Chair cannot, because of the standing order, unilaterally call upon the Speaker to issue a Speaker's warrant and that matter, having been presented by way of motion from the committee and defeated, is ended at least in so far as the committee is concerned. However, the Speaker is considering a point of privilege which may well say to the contrary. If that's the case, then so be it. At the same time, there's no indication of the time frame for that response by the Speaker to the point of privilege raised by Mr McGuinty.

Therefore, in view of the fact that there are 11 hours and seven minutes left of this matter, the 125 issue, I request that the clerk continue to request that these people appear, subject to any contrary instructions from the subcommittee and subject of course to any direction or a response by the Speaker to the point of privilege raised and subject to any direction the committee may wish to give the clerk, but not such direction that can usurp the function of the subcommittee.

Mr Steven Offer (Mississauga North): With respect to the issue we're discussing, and I listened closely to what you said, Mr Chair, with respect to the issue that the Speaker is going to be making somewhere in the future a decision on the motion moved by my colleague, I would ask for your ruling that this matter be moved to subcommittee for further discussion.

The Chair: In my view, any member of the subcommittee has the right to call for a subcommittee meeting. I would think that Mr Jordan, being the author of the 125 application, if he wished, could advise the clerk of his desire for a subcommittee meeting and the subcommittee would be obliged to meet.

Mr Offer: On that basis, after having brought this forward, we could move into subcommittee for further discussion on this matter and then I would think possibly reconvene the matter in five or 10 minutes.

The Chair: So you're suggesting a 10-minute recess while the subcommittee meets.

Mr Offer: That's right.

The Chair: We'll recess for 10 minutes.

The committee recessed at 1535 and resumed at 1624.

The Chair: We're ready to resume. The subcommittee met this afternoon during the recess. The subcommittee report is as follows:

"The majority of the subcommittee decided that there has been a proper request for witnesses and the witnesses have indicated that they will not attend. Therefore the Chair shall report to the Legislative Assembly on the non-attendance of the witnesses and request that Speaker's warrants be issued."

That report of the subcommittee is now before the committee. If there is any discussion on the report, please indicate now.

Mr Bob Huget (Sarnia): I'd like to move a 20-minute recess. I need a 20-minute recess.

Mr Charles Harnick (Willowdale): Why?

Mr James J. Bradley (St Catharines): To get marching orders from the whip.

The Chair: We'll recess for 10 minutes until 4:35.

Mr Huget: Ten's good.

Mr Bradley: They've got to go to the Premier's office and get their orders.

The Chair: We've recessed until 4:35. I've done it for other caucus members when they've requested it and I don't propose not to do it for Mr Huget.

The committee recessed at 1625 and resumed at 1637.

The Chair: We're ready to resume. The report of the subcommittee had been made to the committee. There is now time for discussion of the subcommittee report before calling for a vote. Any discussion regarding the subcommittee report?

Mr Offer: On a point of order, Mr Chair: Is a vote necessary?

The Chair: I haven't called for one yet. You might want to raise your point of order then.

Is there any discussion about the subcommittee report? There being certainly no further discussion, I'm prepared to call the question and put the subcommittee report to a vote.

Mr Offer: On a point of order, Mr Chair: I do not believe that a vote is necessary on this report of the subcommittee, and if you'll permit me, I'll explain why. As you will know, the matter that is being discussed is pursuant to rule 125. Under rule 125(b), it states, "The subcommittee shall make a report to the committee," and it talks about the areas that the subcommittee is permitted to make a report on to committee.

That area is, firstly, the names of any witnesses—that's the identification of the people to be brought forward—secondly, invitation, which means, have those people been invited? Thirdly, the words are "to appear before the committee." So in the words of 125(b), the last line and a half state, dealing with the consideration of the matter, that "The subcommittee shall make a report to the committee" dealing with "the names of any witnesses to be invited to appear before the committee."

Mr Chair, I understand that individuals have been identified, hence they have fallen within 125(b) under the phrase "names of witnesses." I understand that invitations have gone to those witnesses and that has been done through you, Mr Chair, to those individuals.

Appearance has also been requested, and I heard at the beginning of the committee that there were responses to the clerk indicating that the names of the witnesses to be invited to appear responded by not appearing. I believe it is within the jurisdiction and the responsibility of the subcommittee to make a report on those matters: names, invitation, appearance or lack thereof. The subcommittee has made that decision. They have made a decision, which is a report of the subcommittee to the Chair.

I now move to standing order 125(c) because it states: "A report under this standing order from the subcommittee on committee business"—and I remind everybody it has been done; you are looking at the report—"shall be deemed to be adopted" by the committee. That is the rule, 125(c).

You have before you a report of the subcommittee on matters within the jurisdiction of the subcommittee by 125(b), and under 125(c) a vote is unnecessary because the report "shall be deemed." We know why that is necessary.

It is necessary because it shall be left up to the will of the Legislature to decide yes or no to a report of this nature.

Remember what the principle of 125 is. It is a right given to all members of the Legislature to bring forward a matter that they believe is important to be decided within a certain time frame by a committee of the Legislature. It is not a matter which is intended to be thwarted by committee. It is a matter for which decisions of witnesses' invitations and appearance are left to the subcommittee, to be reported and deemed to be adopted by the committee and hence reported to the Legislature for final approval.

That is the essence and the intent of this rule and privilege given to all members of this Legislature. We fall strictly within 125(b). The report of the subcommittee is before the members of this committee. It is then left to 125(c), and the clear ruling of 125(c) is that a report under this standing order from the subcommittee shall be deemed to be adopted.

My position is that as the subcommittee has made this decision that it is now before the committee—but not for a vote; it is for a reporting only—it must be deemed to be accepted by the committee. Our rules say that, and then it is to the will of the Legislature to make the final decision. It is something which I believe all people will understand and accept. To do anything else is to thwart the very fundamental principle as to what 125 and a rule under 125 is and was to be given to each member of this Legislature.

Mr Bradley: Clear to me.

The Chair: You don't have to repeat that, though.

Mr Bradley: All the lawyers know this is true.

Mr Huget: First of all, obviously I don't agree. The standing order referring to the deeming of the adoption of a subcommittee report—because the subcommittee report that was deemed to be adopted adhered to the items under (b), which includes a precise statement of the matter to be considered, the time to be allocated for the consideration of the matter, the date on which consideration of the matter is to commence and the names of any witnesses to be invited to appear before the committee, that subcommittee report was deemed adopted.

From here on in, I believe we're into a different process and, in my opinion, this is a new report, a new situation, that would require, as far as I'm concerned, a vote in full committee. I will add as well that nowhere in the standing order is the right to subpoena witnesses part of the subcommittee's role.

Mr Harnick: No, that's not what was said. That has clearly nothing to do with this. That's something that the report of the subcommittee leaves to the Legislative Assembly, and the report is quite clear. The report, furthermore, deals with the appearance of witnesses before the committee. Surely if you can ask witnesses to appear and they don't appear, the subcommittee is totally neutered if they can't take the next step.

I might remind the Chairman that we had a discussion somewhat similar to this two weeks ago where we were requesting allocation of time for witnesses and I might remind the Chairman what his opinion was at that time about the decisions of the subcommittee being final in

regard to these matters. I remind the Chairman of the opinion he expressed on that day, which was quite simply that the report was deemed to be accepted. This is certainly within the parameters of subsection 125(b).

Mr Offer: Very briefly, I think it's absolutely necessary to respond to the erroneous comments made by Mr Huget. It is clear that the report of the subcommittee does not issue a Speaker's warrant; it requests the Speaker to issue warrants. We recognize the role of the Speaker. We also recognize the role of the subcommittee. We also recognize the role of the Chair. This is the procedure that has been laid down. Rule 125 is that right given to members and it is a right that cannot be thwarted by committee members and should not be thwarted by committee members, but it is a right that will always be subject to the will of the Legislature.

If you are going to say that this report, which has already been made—it's already out of the barn as far as I'm concerned. The report has already been made. This is not a debate as to whether a report can be made. The report has been made. You've got it in front of you.

To me, on my point, a report under the standing order, from the subcommittee on committee business, shall be deemed to be adopted. My submission is that a report under the standing order, from the subcommittee on committee business, has been made and so it has to be adopted. Those are the words of rule 125(c). As such, I believe that my point of order, where a vote is unnecessary with respect to the specific words of 125(c), is in order and this report of the subcommittee must be adopted by the committee and reported by the Chair to the Legislative Assembly.

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): Mr Chair, I was just wondering if you might be able to clarify this report for me and the fact that at the end of this report there is a request that a Speaker's warrant be issued. Is that something this subcommittee can request?

The Chair: The subcommittee report speaks for itself.

Mr Johnson: Is that in order?

The Chair: One moment. We've got a point of order already.

I put it to the committee for the purpose of the committee voting on it, which is the usual course, subject to any exceptions provided for in the standing orders. Mr Offer, on a point of order, said that was improper, and his argument, in essence, is that it ought to be deemed, pursuant to 125. Mr Hope.

Mr Randy R. Hope (Chatham-Kent): I think Mr Huget had something.

Mr Huget: I obviously don't agree with the perception of Mr Offer. I think the deeming of acceptance of the subcommittee's report on those items that included the matter, the time, the date and the names of witnesses to be invited is proper. However, this is a new issue, a new sub report, a new situation, and this subcommittee report, like many others, should be subject to a vote of the committee.

1650

The Chair: Any further discussion? Okay.

I understand the issue to be whether the subcommittee report ought to be put to a vote, as is the usual course in reports from a subcommittee—this means that a subcommittee report in the usual course has no status in itself unless it is adopted by vote by a majority of the committee that it's reporting to—or whether it falls within the scope of standing order 125, which deems subcommittee reports dealing with those particular issues under standing order 125 to be adopted, which means they don't have to be put to a vote.

I should indicate that in the subcommittee meeting, the propriety of the motion which constitutes the body of the report was questioned. Indeed, on Monday, which is the last time it sat, the committee heard and entertained a motion from Mr Harnick which proposed essentially the very same thing. The majority of the committee voted against that motion, defeating it.

The question was raised in subcommittee relying on the long-time and traditional argument that you can't raise the same matter after it's been basically voted down. My position then was that it was proper for the motion to be made in subcommittee because subcommittee is not a reflection of the committee per se. A subcommittee can only do things which are subsequently approved by the committee. The subcommittee I thought, and although it's not a perfect analogy, was perhaps more analogous to a House leaders' meeting.

First of all, with respect to subcommittees, subcommittees have cleaned up things that have been done in committee on more than one occasion that I've witnessed. That is to say, a committee may make a decision based on majority vote and the subcommittee will subsequently meet and correct or deviate from that position or alter it, just as the House leaders on occasion clean up what took place in the House and correct or alter or deviate from what took place as a result of a majority vote in the House.

I was satisfied that the motion, which forms the body of the subcommittee report, was validly put in the subcommittee notwithstanding that a similar motion had been dealt with by the committee on Monday past.

As well, it's clear I think to everybody that the only body that can produce a Speaker's warrant is the assembly itself, and that regardless of what happens in this committee, this committee in my view clearly has no authority to issue or even demand the issuance of a Speaker's warrant. It's only as a result of the decision of the assembly, and that's section 35 of the Legislative Assembly Act.

My understanding is that this would be a majority vote in the assembly. There is no stated procedure for how a committee obtains, or seeks rather, a Speaker's warrant from the assembly. The long-time procedure is to do it by way of report from the committee. That once again clearly implies, subject to any exceptions like a deeming exception, that the majority of the committee, before the report can be presented, has to approve that report, which means the majority of committee is the one that puts the report to the House and the Chair of the committee rises, during that period of time for reports of committees, makes the report of the committee and the House votes on it, either for it or against it.

That seems to me then to imply that even the Speaker can't unilaterally issue a Speaker's warrant. It implies very strongly to me, reading section 35 of the Legislative Assembly Act, that even if the Speaker witnesses the most capricious disregard for a committee or for the assembly, the Speaker himself hasn't got the authority to issue a Speaker's warrant. It's only at the will of the assembly.

We did, as Mr Harnick indicated, discuss what standing order 125 meant, whether it would apply to subcommittee reports and whether, for instance, a subcommittee could revisit an issue that was dealt with in subcommittee in the first instance when it made its report dealing with the 125 designation.

All of us in the subcommittee and on the committee during the course of those discussions read very carefully standing order 125, in particular paragraph (b) of standing order 125 which indicates what the subcommittee shall do with respect to a 125 designation. That is to say, that it shall report to the committee a precise statement of the matter to be considered. I don't think there's any debate about that. That's clear and that's not an issue.

Secondly, the time to be allocated for the consideration of the matter: Once again, in this particular point of order, it's not an issue. The date on which consideration of the matter is to commence: Once again, with respect to this particular point of order, not an issue.

Paragraph (b) says the subcommittee shall make a report that shall include these four things, and the fourth one is "the names of any witnesses to be invited to appear before the committee." The issue I believe is whether, among other things, the requirement that this be included in a subcommittee report includes the power of a subcommittee to respond subsequently to their non-attendance.

It was interesting that standing order 120, paragraph (d), says, "Disorder in a standing or select committee can only be censured by the House on receiving a report from the committee." That confirms the long-time procedure utilized with respect to, in effect, reports seeking Speaker's warrants, that only the committee can report disorder.

What that would mean is that even for the most serious and most disrespectful disorder, if the majority of the committee for whatever reason, including, sadly, the most capricious of reasons, voted against a report or against a motion to report that disorder, once that was done, there would be no power for anybody else to report disorder in such a way as for the assembly to consider it.

I made comments on Monday, which I neither regret nor retract here in the committee, expressing my concern about what I perceived as perhaps a failure to see the distinction between compelling attendance and permitting people, once they are here as witnesses, to raise objections to the questions put to them. I saw it as extremely important for the integrity of the committee process that if people are called to the committee, they should come to the committee, regardless of their apprehension about the questions that are to be put or their trepidation about the impact of the answers. There are all sorts of safeguards available to them once they're here.

I come from a professional tradition wherein, if somebody declines to appear—and appreciating that these are

committees and not judicial hearings—it doesn't require the majority of the participants, it doesn't require consensus between, let's say, both litigants for an adjudicator to compel that person's attendance, but the mere fact of their non-attendance can result in compelled attendance. It doesn't require consensus, unanimity or even majority decision in terms of the participants.

I was very concerned about the non-attendance of the witnesses. I was similarly concerned about the failure of the committee by majority to make a report to the Legislature, to the assembly, seeking Speaker's warrants for those people, but it remains that it is the committee members' rights to vote as they wish. That can't be interfered with.

I was particularly interested in whether or not the subcommittee had the power not just to make the motion that it did today, but to have that report then deemed to be adopted so it would not be subject to the whim of the majority, such as the motion of Mr Harnick—and again "whim" is perhaps an inappropriate word—was submitted to the rule of the majority in such a way that it was defeated.

The clerk has provided a great deal of background on the matter, which really in effect amounts to very little background because standing order 125, previously 123, is a relatively recent phenomenon passed by the last Legislature, and I remember the implementation of it well. There's simply no doubt about it: It is designed to provide an as-of-right procedure for opposition members, notwithstanding that government members can take advantage of it as well.

It is obvious that this particular 125 application illustrates some of the lack of completeness in standing order 125, because we encountered it when talking about whether or not the subcommittee could revisit those very specific issues, those four issues talked about in paragraph (b).

Clearly, when people were drafting this and designing it they didn't contemplate many of the difficulties that have been encountered, especially those during this particular 125 designation. It's obvious that if the 125 designation is a somewhat fluffy one, perhaps zebra mussels, you're not going to find the problems, because the government members, being the majority, aren't going to raise a whole lot of concern. That's not the point, though, because clearly if you're going to give opposition members a right to do something, you've got to consider not just the fluffy stuff, not just the vanilla, but the hard stuff as well.

1700

I am very disappointed in the lack of clear provision to permit opposition members to follow up on their initial application or their initial designation. They've got the power to designate a 125 hearing; they've got the power by virtue of the opposition control over the subcommittee to determine how long it's going to be, up to 12 hours; to determine when it's going to start; to determine exactly what it's going to consist of and to determine who is going to be invited to appear.

I mean, who determines who's invited to appear, that shot is called by the opposition, clearly, in the instance of an opposition application designation. But there isn't any provision in the powers of the subcommittee as to—the powers of the subcommittee are unlimited. It can do anything it

wants, subject to the committee approving it, subject to the committee passing that report. It's only those very specific four issues that can be part of a subcommittee report under a 125 designation, which benefit from a deeming, which means it doesn't have to submit itself to a vote and to the will of the majority.

I think it's really regrettable, not just in this instance but in the long term, that there isn't an ability for subcommittee or for opposition members, through whatever avenue, to enforce the attendance of people who are invited at their instance as witnesses. Obviously, the message that can go out is that people can simply not attend, and if it's the government will that they not be here as witnesses, then it's done and over with, because the government will can preclude a vote by the committee presenting a report calling for Speaker's warrants, which means that these 125 proceedings, as concessions to opposition and as means of opposition members to explore avenues, as of right and unrestricted, becomes virtually meaningless.

All of my real, genuine concern about that, having been an opposition member and knowing how important these most modest of concessions are to opposition members, doesn't change my interpretation of paragraph (b), that the powers of the subcommittees, in so far as what they can report and have deemed, as compared to voted on, are clearly only those powers, those four issues, that are articulated very specifically.

I hear what Mr Offer says, but I can't agree that the names of any witnesses to be invited to appear before the committee—that is the most preliminary stage of things. It doesn't provide the subcommittee with the power to determine the issuance of Speaker's warrants for witnesses. It very specifically talks about the invitation of witnesses, clearly keeping the issuance of Speaker's warrants or even the request for Speaker's warrants to be a second step in a far more commanding or compelling one to the committee and subsequently to the assembly.

So with real regret—and I welcome correction; I welcome the Speaker or the assembly saying that I'm incorrect in how I interpret this; I look forward to that—but for all the reasons I've stated, and having obviously listened carefully to all of the arguments and considered the matter, I feel compelled and do rule that there is not a point of order and that this matter has to go to a vote before the committee.

Mr Bradley: If you'll allow me to speak on the motion, then—

The Chair: There is a report to the committee. Go ahead.

Mr Bradley: I'm not going to speak to your ruling. There may be others who will speak to your ruling—

The Chair: Of course not. The power to challenge the Chair was similarly taken away by the last Legislative Assembly.

Mr Bradley: —but since you are making that ruling, and it appears the only hope is that the majority of this committee is going to concur in having the subpoena or the Speaker's warrant to the witnesses, listening to the previous debate, I would come to the conclusion that the

broom that is sweeping this under the rug has 74 bristles and that six of those bristles are sitting across from us at the present time. I hope I am wrong, because to deny this committee the opportunity to request that the Speaker provide warrants for the witnesses to appear would be against everything the New Democratic Party has stood for in opposition and in convention and in the history of that party.

One would wish—and we can't do this of course; it's beyond my power—that Jim Renwick were here to witness what is happening this afternoon, great defender that he was for the New Democratic Party and for the people of the province of Ontario, of the rights of committees, because I sat on committees with Mr Renwick.

Unfortunately, Mr. Chairman, I see the long hand of the Premier's office in this piece, reaching well into the committee as it is this afternoon, with instruction to government members to vote not how one would anticipate each of them in their lives would have voted in opposition, or if they were voting their conscience, but voting in a manner which the government deems to be most appropriate.

It is obvious to me so far—and I hope to be proven incorrect in this matter and would apologize to the government members were this the case—but it certainly appears that the government wishes not to have these witnesses appear before the committee, wishes to place a gag order on them through the auspices of Ontario Hydro because it would be embarrassed by the testimony that would be forthcoming from these individuals, the testimony on the platinum handshake which will be given to Mr Holt and the testimony on how Mr Holt ended up retiring from his position, as the Minister of Energy would say.

So my hope is that those who have stood for office over the years, who have fought the good fights over the years, would today stand on their principles instead of on the political expediency of having their way smoothed to the cabinet table or to ingratiate themselves to the gentleman who is now in the Far East and still has great control over the government caucus.

I implore the members of the government to agree to have this warrant issued to each of these witnesses so that the public and members of this Legislature and the news media can determine what happened and why it happened.

To conclude, one would say that if the government wished to fire Mr Holt, one would have wished that it would have the intestinal fortitude to fire him if it sees fit and then explain why, instead of engaging in a coverup and a charade such as we have seen so far, which I hope you will reverse by the vote that you cast this afternoon.

Mr Huget: Unfortunately, Mr Bradley was not here at Monday's meeting, but I think we made it very clear at that meeting, and if it isn't clear, then we'll make it clear again: The government's not participating or interested in any coverup of anything. The government simply refuses to use this committee as a vehicle to violate provincial law. It simply refuses to use this committee as a mechanism to violate the freedom of information act and privacy laws in the province of Ontario. That's simply what the issue is here.

I'm a little bit saddened by Mr Bradley's sort of, I guess, imaginary look at what he feels the intent of anyone is on this committee or what the intent of the government

is. I know he has the ability to speak for himself and indeed think for himself, but I would ask him to confine his duties to that.

Mr Harnick: I'm a little surprised about this argument about the government protecting a violation of the law. Nothing could be more ridiculous; nothing could be more wrong. Every time a trial takes place in any matter, there is always a possibility that improper questions can be asked.

1710

Mr Huget: This is not the Supreme Court.

Mr Harnick: This may not be the Supreme Court. It's the Legislative Assembly of Ontario, and there is no higher authority than the Legislative Assembly of Ontario, in spite of the fact that you, as the government, don't want to admit that, which is awfully strange.

Mr Huget: There is a higher authority. It's the public.

Mr Harnick: Well, I have the floor now, Mr Huget.

Mr Huget: I apologize, Mr Chairman.

Mr Harnick: Furthermore, it astounds me that the government wants to protect witnesses to the extent that they don't believe they can come here, be represented by counsel and be told, when asked a question that violates or purports to violate the provisions of the Freedom of Information and Protection of Privacy Act, that they shouldn't answer that question. They have the protection of their own counsel, they have the protection of the Chair and they also have the opportunity, if they wanted to really have a hearing, to take this hearing in camera so that we don't have to worry about those violations.

I know that's something our friends in the press would not be happy about, because the experience last time was that they were somewhat upset that they didn't get to hear certain pieces of information they really wanted to hear. I can appreciate that frustration, but the fact of the matter is that we were still able to have the hearing and no one's rights were violated.

For the government to hide behind that argument is positively the most hypocritical thing I could ever imagine. I think you should be ashamed, and if you have nothing to fear by listening to this evidence of the people we've invited and you're not wanting to cover it up, then you'll rely on each of these witnesses to come here with their counsel to advise them about which questions are proper and which are not.

You rely on your own Chairman, a member of your party, to protect those same witnesses, and surely his political beliefs are the same as your political beliefs. You elected him as the Chairman of this committee, and you hold the majority on it. The fact of the matter is, what greater protection can there be for the witnesses? For the government to stand behind this very flimsy argument just smacks of nothing short of a coverup.

Mr Len Wood (Cochrane North): Hundreds of thousands of people retire every year, Charles.

Mr Harnick: And hundreds of thousands are also fired.

Mr Johnson: Mr Chair, I would prefer, in a sense, not to get involved in this; however, I have to say a few things. The inferences made by Mr Bradley, I think, are inaccurate

and not correct. His characterization of me and my colleagues on the government side are not accurate either.

I want to say that having been substituted into this committee, as Mr Bradley was, I've tried to understand how we've got to the point we're at today. It becomes clear to me that if we were to subpoena, if you will, or have Speaker's warrants to bring these people in, those people who are no longer in the province of Ontario do not get served a warrant, so the broader examination of all the people who are involved would not be complete. This is how I, as one who has been substituted on this committee, have seen it. I think there will be people who will not be brought in before this committee, and so any kind of examination into these concerns wouldn't be complete.

Mr Offer: I'd like to make a few comments on this matter. This issue that is now before us—and I recognize you've made a decision on the report of the subcommittee as to whether it shall or should not be voted upon. The issue before the committee is whether this report, which is a request of the Speaker to issue a warrant, is going to pass. That's what's before you. It is a request of the Speaker. The question you have to ask yourself is: Are you going to subvert the inquiry before this committee? You can speak erroneously, as you have, about protection of individuals. I say "erroneous" because there is protection of people who come before committees of this kind. We have a letter from the privacy commissioner himself.

He has indicated that it is okay. Mr Wright has indicated it is not a breach to come before this committee. The question is now, notwithstanding the positions the government members have taken earlier on about gagging this committee and this inquiry, you have an Information and Privacy Commissioner who has said: "Yes, we can move committees in camera. We can provide protection. Witnesses before committees can provide protection." The question you have to ask yourselves is: Are you, as members of this Legislature and members of a committee, going to allow people in the province to say no to attending before a committee? If you vote against this report, you are saying to individuals before this committee today and future committees that they can say no.

This matter we are dealing with is of very great importance. It's important to many millions of people in this province. They want to know what happened. They want to know what the facts are. We have a committee. We have rules that we can and will abide by, as we have in the past and will in the future. Your responsibility as members, as ours is, is to send out a message. Are we, as members of the Legislature, as members of a committee, when an individual does not wish to come before a committee, going to take a matter of non-attendance to the Speaker to issue a Speaker's warrant?

It is not a matter of privacy, though Mr Wright has indicated this is not an issue at all. It is not a matter of protection of individuals, because that takes place every day in this Legislature; it is a matter as to whether we are going to deal with this issue, whether we are going to allow the Legislature and the Speaker to do what is their right, to do what is the will of a committee, under rule 125, to call before the committee individuals who can shed light

on this issue. If you vote against this, you gag this committee; you sweep this matter under the table.

Today it is this matter; tomorrow we do not know what the issue will be. You are setting a dangerous precedent in this province. You are allowing individuals who should appear before legislative committees to say no without any warrant issued, without any request for a warrant issued. That is the responsibility of members of this Legislature. That is something of our responsibility. It is going to be brought before you now. Are you up to meeting your responsibility or not? If you vote in favour, you are, and we can deal with all of the issues of confidence, privacy. We can deal with the issues of in camera proceedings. We did so in the Shelley Martel affair; we can do so in all matters. The question is whether you are ready to meet your responsibility.

This is a matter which must be dealt with. It is our right; it is our responsibility. Do not subvert; do not, as government members, gag a committee from doing what is its responsibility. You have that opportunity to say yes. The question will be: Will you, or will you just sweep this matter under the rug?

Mr Bradley: Seventy-four bristles.

1720

Mr Harnick: Mr Chair, I—

The Chair: One moment, Mr Harnick. Mr Huget.

Mr Huget: First of all, I think we should be clear about something here too. I certainly listened with interest to Mr Offer's comments, but as far as this government participating in a coverup or trying to hide anything, I think people's memories only have to go back to Monday. The Minister of Energy appeared at these hearings.

Mr Offer: Vote yes.

Mr Huget: He answered all the questions put to him openly and honestly.

Mr Harnick: Let's hear the other people to see if they agree with him.

Mr Johnson: You invited them and they don't want to come.

Mr Harnick: You won't let them come.

Mr Huget: The government has nothing to hide here.

The Chair: One moment, Mr Huget. I really don't care whether two people talk at the same time or whether three people talk at the same time, but the people who work here for Hansard work real hard for a lot less money than most MPPs make and deserve better treatment and more consideration.

Mr Bradley: You mean they're that badly paid?

Mr Huget: Thank you, Mr Chairman. For my part, I apologize.

Frankly, I find it offensive that legislators here are asking individuals to potentially break the privacy act. When you look at their responses—these witnesses have received legal advice—it's clear they're doing so, refusing to attend, with legal advice.

There's a question here about Mr Holt's retirement and some details of Mr Holt's retirement package. You have a

right, as a member, to request that information out of the freedom of information act. Why don't you just do that?

Mr Harnick: If I have the right, why don't we do it right here? If I have that right and the Vice-Chair of this committee, the government whip on this committee, acknowledges that I have the right to that information, then let's get Mr Holt here and let's ask him.

Mr Offer: Vote yes.

Mr Harnick: And he can vote yes, because he's now speaking out of both sides of his mouth.

Mr Huget: Put in another request under freedom of information. That's all you've got to do.

Mr Harnick: I notice, in this letter from Anne Noonan dated November 18, a reference to a letter dated November 11. I don't know if we've received that letter. I don't know if that letter has been handed out, but I gather that is the letter that is the basis of the legal advice coming from Ontario Hydro.

Mr Chair, now that we have Mr Huget's learned opinion on the record that I'm entitled to the information and now that we have Mr Wright's information, the privacy commissioner, that we wouldn't be breaching the privacy act, I wonder if we shouldn't refer the letter from Ontario Hydro, which we haven't seen, to the privacy commissioner and, as well, refer the letter to legislative counsel, who has also rendered an opinion that we won't be breaching those provisions, and ask for an opinion about this particular letter, which I have only now seen for the first time.

It seems to me it would be reasonable that we ask our very own privacy commissioner, number one, whether he agrees with this letter, and number two, what safeguards he and legislative counsel could provide us with to allay the fears of the government members on this committee.

The government members of this committee have not done one single thing to try to make provision to permit people to attend here so they could give their evidence in a way that doesn't violate the concerns they've raised. They have not done one single thing to be flexible, to attempt to hear those witnesses.

What I suggest is that we do not vote on the Speaker's warrants at this time but that we refer this letter to the privacy commissioner.

I don't have any signed copy. Is there any reason for that?

The Chair: Turn it over.

Mr Harnick: Oh, okay.

Mr Bradley: It's the same answers I've seen for 15 years from Ontario Hydro.

Mr Harnick: It seems to me that before we do anything and if the government really wants to have the witnesses attend and be protected, we should refer this to our own counsel and the privacy commissioner and ask them what safeguards we could put in place so that the fears of the government wouldn't arise.

The Chair: Is that a motion to defer?

Mr Harnick: Yes.

Mr Paul Klopp (Huron): No. There's a whole bunch of stuff he was rambling on about.

Mr Harnick: What do they have to lose by referring this to the privacy commissioner and to legislative counsel and asking what safeguards they could provide us with so we could go on with this hearing?

Mr Brad Ward (Brantford): Just a question through you, Mr Chair, to the clerk on a point of order. One letter is dated November 11, the other is dated November 16 and we're just receiving them now. Is there an explanation for that? That's the point of order.

The Chair: Yes, the one on November 16 is particularly recent.

The one on November 11 wasn't one of the letters of refusal but was there for people had they wanted it. It wasn't distributed, but it wasn't unavailable; nobody was hiding his light under a bushel.

Mr Harnick, you can do anything you want with these letters now that you have them, or any member of the committee can, or anybody else.

Mr Harnick: Well—

The Chair: Wait a minute, please. But we've got a subcommittee report; that's to be voted on. If you want to make a specific motion to defer the consideration of that subcommittee report, do that, and people may or may not raise issue with that motion. But make a very specific motion, if that's what you want to do.

Mr Harnick: I'm going to lose anyway, so forget it.

Mr Leo Jordan (Lanark-Renfrew): Mr Chairman, can I make a comment on this letter that we've just now received?

Mr Hope: Mr Chairman, is he speaking on the motion?

The Chair: Yes, he's speaking to the motion. You'll have a chance to speak to it.

Mr Hope: He is speaking to the letter.

The Chair: Go ahead, Mr Jordan.

Mr Jordan: The last sentence: "Because of the restrictions which our witnesses would be under, we believe that there is little these witnesses would be able to contribute to the committee's inquiry." He's not saying they can't appear; he's just saying that because of the limitations that he sees on them, they wouldn't be able to contribute much. Well, we can decide that after they appear.

The Chair: Thank you, sir. The report of the committee begs voting upon. There being no further discussion about the report of the subcommittee, I'll read it again: "The majority of the committee decided that there has been a proper request for witnesses, and the witnesses have indicated that they will not attend. Therefore the Chair shall report to the Legislative Assembly on the non-attendance of the witnesses and request that Speaker's warrants be issued."

Mr Offer: Recorded vote, please, Mr Chair.

The Chair: Recorded vote. Shall the report of the subcommittee be adopted? All those in favour of adoption, please raise your hand and keep your hand raised until your name is called.

Ayes

Bradley, Harnick, Jordan, Offer.

The Chair: All those opposed to adoption of the subcommittee report, raise your hand and keep your hand raised until your name is called, please.

Nays

Hope, Huget, Johnson, Klopp, Ward (Brantford), Wood.

The Chair: The report of the subcommittee is not adopted.

As I indicated at the onset, subject to any further direction from the committee, I've requested the clerk to continue to make efforts to invite, in accordance with the report of the subcommittee, the people named by the subcommittee, pursuant to the 125, to continue to invite those people to attend.

Any further matters?

Mr Harnick: May I make a motion, Mr Chair. I would move that the letters of November 11 and November 16, 1992, be referred to legislative counsel and be referred to the privacy commissioner for their independent opinions, and that a request be made of each of those individuals for methods to safeguard the giving of evidence by those whom we've invited to attend, such that their evidence will not violate the privacy concerns that they have.

1730

The Chair: Will you do the committee a favour and write that motion out so that it's very clear? I'm sure you referred to "legislative research"—

Mr Harnick: I think I said "legislative counsel."

The Chair: —which has access to counsel, and which is the body Ms Anderson assigned to the committee.

Mr Harnick: Can I ask Hansard to read that back for us? I don't think I could do it any better.

The Chair: That is what you wanted to say, "legislative counsel," not "legislative research," which has access to counsel and which is the research body assigned to this committee.

Mr Harnick: The person I'm really referring to is the person who gave us the first opinion.

The Chair: Yes, that's why I'm suggesting that's why you meant to say "legislative research."

Mr Harnick: You can amend that—

The Chair: No.

Mr Harnick: —or I can amend that to reflect whatever it is you're saying, because I don't really understand what it is you're saying—legislative counsel who works for legislative research.

The Chair: Ms Anderson will please read that motion as she's recorded it.

Ms Anne Anderson: As I understood it, the motion is, "That the letters of November 11 and 16 be referred to legislative research service and the privacy commissioner for their independent opinion, and a request be made of each of those individuals for methods to safeguard the

giving of evidence of those invited so that something will not violate these concerns."

Mr Harnick: Why don't we just say "so that the concerns of the government members will be allayed."

Mr Klopp: No, you were concerned the other day.

Mr Harnick: I have no concerns. They're all your concerns.

The Chair: We're not being very successful at getting a motion on the floor, are we, Mr Harnick?

Mr Harnick: I don't want to put the government members to the test of reviewing their own consciences.

Mr Bradley: You have really made it easy for the next government, I'll tell you.

Mr Ward: Fifteen years from now?

Mr Harnick: "So that the privacy issues are not violated."

The Chair: Please read Mr Harnick's motion again.

Ms Anderson: The motion is, "That the letters of November 11 and 16 be referred to counsel at legislative research service and the privacy commissioner for their independent opinion, and a request be made of each of those individuals for methods to safeguard the giving of evidence of those invited so that the privacy issues are not violated."

The Chair: Is that your motion, Mr Harnick?

Mr Harnick: Yes.

The Chair: Any discussion of that motion?

Mr Harnick: I have no discussion.

Mr Huget: In the absence of being able to read and reflect on the motion, which is somewhat problematic—I think it's standard procedure here that motions are tabled in writing; however, be that as it may—I would agree with part of the motion, so I'd like to make an amendment.

The Chair: First, it's not standard procedure, but go ahead, make the amendment.

Mr Huget: Okay. I'll refer to the back half, I guess, of the motion, where it requests advice. I can't amend something that I can't see, and I'd like to be able to see it.

The Chair: Have Ms Anderson read it again.

Mr Huget: Do I tell her, then, when to stop—

The Chair: Tell her when to stop.

Mr Huget: —and take that as the amendment?

The Chair: No. Ms Anderson, read this very slowly so that everybody can write it down.

Mr Harnick: Why don't you write it down as she reads it and then you'll have it written for you.

The Chair: Let Ms Anderson read it and she'll read it slowly so that people can record it.

Mr Harnick: Maybe you should print it so you can really understand it.

The Chair: Go ahead, Ms Anderson.

Mr Huget: You're the right one to give advice, Charles. You couldn't even remember what came out of your mouth.

Mr Bradley: I remember when Jim Taylor, the former member for Prince Edward-Lennox, broke with the

government ranks on a Hydro issue and embarrassed his own government, but he was working for the people of the province when he did that.

The Chair: Ms Anderson is ready to read that motion, slowly.

Ms Anderson: The motion reads, "That the letters of November 11 and 16 be referred to counsel at legislative research service and the privacy commissioner for their independent opinion, and a request be made of each of those individuals for methods to safeguard the giving of evidence of those invited so that the privacy issues are not violated."

Mr Huget: Thanks very much. I would move then as an amendment that anything after the word "opinion" be deleted.

Mr Wood: Got that, Charles?

Mr Harnick: No.

The Chair: Mr Harnick is declining to adopt that amendment.

Mr Harnick: Now you will have to read it and stop at the word "opinion."

The Chair: Ms Anderson will now read the motion as proposed, as amended.

Ms Anderson: "That the letters of November 11 and 16 be referred to counsel at legislative research service and the privacy commissioner for their independent opinions."

The Chair: Thank you. That's the effect of Mr Huget's amendment to Mr Harnick's motion.

Mr Huget: Nothing further.

The Chair: You don't want to speak to your amendment.

Mr Huget: No.

Mr Harnick: I want to speak to the amendment.

The Chair: Go ahead.

Mr Harnick: What that amendment shows is that the government does not wish to make any attempt to accommodate this hearing at all.

Mr Bradley: None whatsoever.

Mr Harnick: None whatsoever. Furthermore, if that isn't absolute proof that the government members on this committee want to cover up what may come out, want to cover up what may contradict what their minister said here, because he was the only who has attended, and it's going to be pretty difficult to contradict him if nobody else shows, if that isn't the clear intention of what they're doing, if that wasn't clear before, it certainly is clear now.

The Chair: Further discussion? Go ahead, Mr Offer.

Mr Offer: Very briefly with respect to Mr Harnick's motion—

Interjection: I'd like to call Patrick Lawlor, if I can.

Mr Harnick: You guys get stupider with everything you say.

Mr Wood: People retire every year. You want to investigate each one?

Mr Harnick: Only one of them, as president of Ontario Hydro, was fired.

Interjections.

The Chair: Okay, one moment. I'm recognizing Mr Huget. You're on a point of order—I'm sorry, Mr Hope.

Mr Hope: I'm just referring back to your comments and I'm watching Hansard try to write all the comments that are being made. I was just trying to bring into perspective what you said earlier about one speaking at a time. I was just trying to get that in.

The Chair: Quite right, which is why I asked that all the mikes be turned off so that nobody would be recorded. Go ahead, Mr Offer.

Mr Offer: Very briefly, there's an opportunity once more for the government to treat this matter with a degree of severity, to treat this matter with a degree of responsibility. What you have to do is to recognize that you just can't snub your nose and sweep things under the rug. Here is a further opportunity to attempt to get further information on a matter which must be looked into. It is no more complicated than that.

But it is as serious as whether you are going to live up to your responsibilities as members of this Legislature. Stop snubbing your nose at what is going on in certain areas. You have a responsibility, as members of this committee, to look into these matters. Stop gagging this committee. Stop blocking any action that's taken in order to try to get further information. The interesting thing is, what are you so afraid of?

The Chair: Any further discussion around Mr Huget's amendment?

Interjection: None that warrants any response.

The Chair: All those in favour of Mr Huget's amendment, please indicate. All those opposed.

Mr Huget's amendment passes.

Is there any further discussion on Mr Harnick's motion, as amended?

All those in favour of Mr Harnick's motion, as amended, please indicate. All those opposed.

Mr Harnick's motion, as amended, passes.

Any further matters?

Mr Huget: I would like to refer to the responses we received this afternoon, one I believe in writing and the other one was a verbal response from Mr Holt. Is that correct? Could I ask the clerk, first of all, whether you could give me the response that Mr Holt gave you verbally.

Clerk of the Committee: Mr Holt said that he had received the second letter and that he felt he—

Interjections.

The Chair: Do you not want the clerk to be able to read that? She deserves better from the committee.

Clerk of the Committee: Mr Holt called me this morning. He said that he'd received the second request from the committee. He felt he'd made it very clear that while he has no real objection to appearing before the committee, there's a clause in his agreement with Ontario Hydro which prohibits him from discussing any of the events leading up to the agreement, so he felt he could not appear before the committee and discuss any of the events that led to the agreement. He would be more than happy to appear if the committee could get Ontario Hydro to agree to waive that section of his agreement.

Mr Huget: May I further ask if that is the clerk's interpretation of what Mr Holt said or is that an exact quote of what Mr Holt said?

Clerk of the Committee: That would be my interpretation of what he said. I was making notes as he was speaking.

The Chair: You're saying that's a précis of what Mr Holt said.

Clerk of the Committee: Yes.

The Chair: Thank you. Any other matters? No further matters? We are adjourned until Monday at 3:30 or immediately after routine proceedings.

The committee adjourned at 1743.

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Ontario Hydro president R-1303

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

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***Vice-Chair / Vice-Président:** Huget, Bob (Sarnia ND)

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***Jordan, Leo (Lanark-Renfrew PC)**

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***Offer, Steven (Mississauga North/-Nord L)**

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***Harnick, Charles (Willowdale PC) for Mr Turnbull**

***Hope, Randy R. (Chatham-Kent ND) for Mr Waters**

***Johnson, Paul R. (Prince Edward-Lennox-South Hastings/Prince Edward-Lennox-Hastings-Sud ND) for Ms Murdock**

***Ward, Brad (Brantford ND) for Mr Dadamo**

***In attendance / présents**

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Second session, 35th Parliament

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Official Report of Debates (Hansard)

Monday 23 November 1992



Journal des débats (Hansard)

Lundi 23 novembre 1992

Standing committee on resources development

Ontario Hydro president

Comité permanent du développement des ressources

Le président d'Ontario Hydro

Chair: Peter Kormos
Clerk: Tannis Manikel

Président : Peter Kormos
Greffière : Tannis Manikel

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Monday 23 November 1992

The committee met at 1553 in committee room 1.

ONTARIO HYDRO PRESIDENT

Consideration of the designated matter pursuant to standing order 125, relating to the departure of the president of Ontario Hydro.

The Chair (Mr Peter Kormos): The clerk has distributed those new exhibits, being letters in response to invitations by the clerk to appear at this committee. I understand from the clerk that there are no witnesses here today.

There is also filed as an exhibit the very carefully prepared—and we appreciate the promptness with which she did that—commentary by Mr McNaught in response to the request put to research last time we met.

Are there any issues the committee wants to deal with?

Mr David Turnbull (York Mills): It is my understanding that the clock is not ticking until the witnesses appear.

The Chair: Yes, sir. If there are no issues to deal with or matters to discuss, I will ask the clerk to invite those people whom the subcommittee, in its report that was deemed to be accepted by the committee, indicated were to be invited.

We will adjourn until Wednesday at 3:30 or after routine proceedings. Thank you, people.

The committee adjourned at 1555.

ERRATUM

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Should read:

agreeing to sit for five weeks because the government House leader limited the hearings to five weeks. What is it that you're frightened of hearing from Mr Kirkby? We've got 25 minutes left. We can hear from Mr Kirkby now and we still will finish by 9 o'clock. Why is it that you don't want to hear from somebody? Is it a viewpoint that you're concerned about having aired in a public forum?

The Chair: Further discussion or debate?

Mrs Marland: We'd like a recorded vote, Mr Chairman.

The Chair: One moment, please.

Mr Turnbull: Yes, I would like a recorded vote.

The Chair: You didn't want to close?

Mr Turnbull: He's not a walk-on, and that was the agreement that was made by the people. We have plugged in those people, as we've gone along, to my knowledge, who've been on the waiting list. He is on the waiting list, so he's not a walk-on. He attended all last night. I was curious, because I had never met the gentleman before. I went and introduced myself last night. He said he was the author of this brief, and it's from a worker's point of view, about his right not to be in a union. I think we should hear that.

The Chair: Thank you, sir. About to call the question.

Mrs Marland: A recorded vote.

The committee divided on Mr Turnbull's motion, which was negatived on the following vote:

Ayes-5

Marland, McGuinty, Offer, Phillips, Turnbull.

Nays-6

Hayes, Hope, Huget, Murdock (Sudbury), Ward (Brantford), Wood.

The Chair: I want to thank the committee members for their cooperation during the course of today. I want to thank the participants who presented their views to the committee. I want to thank those people who expressed interest in the committee's process by attending here at Queen's Park and watching this committee do its work, and those who watched this on the legislative channel.

I want to thank the staff, the research staff and Hansard staff as well as the clerk's office staff, who were crucial to the smooth operation of this committee, and of course the French-language translation people, who have worked very hard throughout the course of the day, even on occasion when people spoke simultaneously, which made simultaneous translation all that much more difficult, and of course the legislative broadcast people, who do an outstanding job of recording and broadcasting this and who will make videotapes of presentations in Beta and VHS, I believe.

In addition, of course, I thank people like Ms Marland who joined us throughout the day. Thank you very kindly, people. Take care. We're adjourned until 10 o'clock tomorrow morning.

The committee adjourned at 2043.

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***Sutherland, Kimble** (Oxford ND) for Ms Murdock

***In attendance / présents**

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McNaught, Andrew, research officer, Legislative Research Service



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ISSN 1180-4378

Legislative Assembly of Ontario

Second session, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 25 November 1992

Standing committee on resources development

Ontario Hydro president

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Journal des débats (Hansard)

Mercredi 25 novembre 1992

Comité permanent du développement des ressources

Le président d'Ontario Hydro



Chair: Peter Kormos
Clerk: Tannis Manikel

Président : Peter Kormos
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Wednesday 25 November 1992

The committee met at 1555 in committee room 1.

ONTARIO HYDRO PRESIDENT

Consideration of the designated matter pursuant to standing order 125, relating to the departure of the president of Ontario Hydro.

The Chair (Mr Peter Kormos): I see a quorum. It's 3:55. All three caucuses are represented. There are no witnesses. Are there any matters to discuss before we adjourn?

Mr Steven Offer (Mississauga North): As you'll know, there are a number of matters that have been brought up before the committee with respect to the non-attendance of witnesses. They've refused to respond to your request. There has been the issue of whether the committee is ready to meet its responsibility in this matter by asking for the Legislature to request the Speaker to issue a warrant for the attendance of those individuals who we as a committee feel are necessary to deal with the issue.

I am wondering, if I might, recognizing that no individual has come forward, whether the government members are

now ready to meet their responsibility in this matter by acquiescing and agreeing to a report of this committee to go forward to the Legislature requesting the Legislature to ask the Speaker to issue a warrant. I just thought I would like to hear whether the government members of this committee are ready to meet their responsibility, or do they wish to continue to thwart the actions of this committee under rule 125?

The Chair: A motion to that effect has already, as you know, been put to the committee. The committee has voted on that motion. So a motion in that regard would not be in order. You are obviously seeking unanimous consent to do that. Is there unanimous consent?

Mr Bob Huget (Sarnia): No, Mr Chairman.

The Chair: There is not unanimous consent. Any other business to discuss? Thank you. We are adjourned till Monday at 3:30 or soon thereafter.

The committee adjourned at 1557.

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Ontario Hydro president R-1315

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Wood, Len (Cochrane North/-Nord ND)

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*Frankford, Robert (Scarborough East/-Est ND) for Mr Wood

*Hope, Randy R. (Chatham-Kent ND) for Mr Waters

*Ward, Brad (Brantford ND) for Mr Dadamo

*In attendance / présents

Clerk / Greffière: Manikel, Tannis

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Second session, 35th Parliament

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Monday 30 November 1992

Standing committee on resources development

Highway Traffic
Amendment Act, 1992

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Journal des débats (Hansard)

Lundi 30 novembre 1992

Comité permanent du développement des ressources

Loi de 1991 modifiant
le Code de la route



Chair: Peter Kormos
Clerk: Tannis Manikel

Président : Peter Kormos
Greffière : Tannis Manikel



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Monday 30 November 1992

The committee met at 1539 in committee room 1.

HIGHWAY TRAFFIC AMENDMENT ACT, 1992
LOI DE 1992 MODIFIANT LE CODE DE LA ROUTE

Consideration of Bill 124, An Act to amend the Highway Traffic Act / Loi portant modification du Code de la route.

The Chair (Mr Peter Kormos): It's 3:39 and we're going to start. The first matter of course is the standing order 125 designation of the Conservative caucus. The clerk, of course, has been instructed to invite and invite and invite witnesses to come. Once again, they've declined the invitations and are not here again today. I would ask the clerk to continue to invite them and we'll return to that matter come Wednesday afternoon.

We are now addressing Ms Cunningham's Bill 124.

Mrs Dianne Cunningham (London North): I'm assuming that everyone has had an opportunity to look at the inter-ministerial response to our standing committee report with regard to Bill 124.

I'd just like to say that from my point of view I think it's been extremely thorough. They have attempted to answer questions from the committee with regard to coverage, the enforcement, helmets and implementation. We did ask them to do this with regard to further research that we weren't able to carry out ourselves.

I'd just like to thank everyone involved. I think it's very thorough, complete and extremely well written. I think, appropriately, we should probably walk through this and see what parts, if any, will affect the bill in the form of amendments or direction with regard to regulations. I'll certainly take direction from you on that, Mr Chairman.

The Chair: You go right ahead. Deal with the material before us in any way that you want to.

Mrs Cunningham: Okay. Perhaps legislative research could help us out just a little bit here. Have you had an opportunity to take a look at this, Anne?

Ms Anne Anderson: I've looked at it, yes.

Mrs Cunningham: Okay. Maybe some people haven't read it, Mr Chairman, and in that regard it's going to be difficult—you'll just have to listen to me. It's awful.

The Chair: People can participate or not participate, as they wish. We've got a quorum. Let's go ahead.

Mrs Cunningham: All right. I think the first issue with regard to who should be covered—we should have a little discussion around the response.

I'm quoting from the document here on page 5:

"The consensus of the ministries is that the age of 16 is the most appropriate age for use in this clause. The following wording would suffice."

My understanding is that this should then be an amendment, which should read as follows:

"No parent, guardian or legal custodian of a person under sixteen years of age shall authorize or knowingly permit that person to ride on or operate a bicycle without wearing a helmet as required by subsection 104(1) of the Highway Traffic Act," known as HTA.

Then I think in looking at that, "The age of 16 is the most appropriate for the following reasons," we were all very concerned about this. It's consistent with other provisions of the Highway Traffic Act, and it gives an example that "drivers are responsible to ensure that all passengers in a motor vehicle under the age of 16 are wearing their seatbelts."

The second point is that "16 is the age at which individuals may make many legal decisions such as leaving school, marriage and driving a motor vehicle, to name a few." It goes on to say that—

The Chair: But not necessarily purchasing lottery tickets.

Mrs Cunningham: No, not lottery tickets; a few other things too that we could list.

Then it says:

"Finally, the police must undergo special administrative procedures when charging a person between 12 and 16 years of age, and consequently prosecuting children in this age category is limited."

We were concerned about the enforcement, so I would agree with that response and I would agree that the following wording—I don't know where to put that, whether that's in the act itself as an amendment, or does it go in the regs? I'll ask that question. Should we just deal with that one now?

The Chair: Certainly.

Mrs Cunningham: Is there any comment about that?

The Chair: People? Does anybody want to participate in this discussion? Do the representatives from the Ministry of Transportation want to comment on this? Do they care?

Mr Dalton McGuinty (Ottawa South): I don't think they heard you.

Mrs Cunningham: Just to add, I think we were all looking for this. I didn't know what to do in this regard and I think it meets all of our concerns. It's great.

Mr McGuinty: Why don't I say something? Dead air is just something you can't market on the radio.

Mrs Cunningham: It usually means consensus.

The Chair: Thank you, Mr McGuinty.

Mr McGuinty: You're very welcome. The only concern that I have is what we're saying here implicitly is that somebody who's 15, for instance, will not have to assume responsibility directly, for himself, for wearing a helmet. I gather there's no sanction that's going to be provided under the legislation. So if I'm 15 and my parents have told me to wear the darn thing, but listen, it's going to ruin my hairdo or something—

I'm talking from the perspective of a male here—and I decide that I don't want to wear it, where am I?

Mrs Cunningham: It's exactly the same as if you were not wearing a seatbelt. The driver of the car who is 16 years of age or older is responsible. You're charged.

Mr McGuinty: Yes, but that's different, Dianne. I have an adult right next to me, but when I'm on a bicycle I'm out and about on my own.

Mr Paul Klopp (Huron): They're going to go back to the parent, right, and if push comes to shove, the parent will have to pay the fine. Right? That's the way I understand it.

Mr McGuinty: No, the parent wouldn't be fined—I hope not—if the parent had directed the child to wear the helmet and the child subsequently said, "I'm not wearing it."

The Chair: Ms Clarke, did you want to perhaps flesh out the position that the ministry advanced? If you would, come forward and seat yourself at a mike. Not to diminish the importance of you, Mr Edgar, but—

Ms Heather Clarke: Unfortunately, we don't have our legal counsel here at the meeting today. I would prefer to consult with them before directing this committee on whether it should be through legislation or regulation. Can it be taken up on Wednesday?

The Chair: Sure.

Mrs Cunningham: On that specific question, my understanding is that they can be charged. If you take a look at "Enforcement" on page 8 and "Enforcement Practices" on page 9, they don't specifically answer Mr McGuinty's question.

Ms Clarke: I'm sorry; I was responding to your original question of whether it should be legislation or regulation. I don't feel comfortable talking to that point without our lawyers being consulted on that. Was there another question?

Mrs Cunningham: Oh, okay. All right. Perhaps you could ask yours, so we can get it on record as well.

Mr McGuinty: Sure. The concern that I have is, would it be possible for a 15-year-old to escape penalty by not wearing the helmet, notwithstanding that he or she had been instructed by his or her guardian to wear the helmet? The parent's off the hook and the child's off the hook.

Ms Clarke: I think the way it was recommended was that the parent—I'm not sure how the parent knowingly allowing the children would be interpreted by the courts. That's how it's recommended, that no parent should knowingly allow a child under 16 to go without a helmet. I'm not sure how that would be interpreted by the courts. We could look into that further and get back to you on Wednesday.

Mrs Cunningham: We've got two questions still. We're going through this rather quickly.

The Chair: Mr Hope.

Mrs Cunningham: All right—

The Chair: Just a moment, please. Mr Hope.

Mr Randy R. Hope (Chatham-Kent): Are you letting me go?

The Chair: You wanted to speak?

Mr Hope: Well, just on the question of the enforcement, the age. As I was reading it, I was trying to find out if that just pertains to roads, municipal or provincial roads, or does it also entail bicycle paths? As the emphasis was being put on bicycle paths, I'm wondering if this act is also going to apply to bicycle paths. I don't see it written in here.

Mrs Cunningham: It's down the road.

The Chair: I know you've read the material, Mr Hope.

Mr Hope: I haven't read it all.

The Chair: You must have overlooked that it's on pages 6 and 7.

Mr Hope: I'll be honest with you. I haven't read it all and I am trying to scan through it quickly so I can participate in an intelligent conversation. We heard about dead air. I'm just trying to participate.

The Chair: If you scan up to pages 6 and 7, you'll see that the issue is addressed. Perhaps we can deal with that when everybody else has scanned as far as you have.

Mr Bob Huget (Sarnia): The wording you've got here is under the Highway Traffic Act. If I read the explanation underneath that, it means everything else in the Highway Traffic Act refers to a provision of 16 years of age. Is that correct?

Mrs Cunningham: That's right.

Mr Huget: Or pretty well everything else?

Ms Clarke: No, someone can be charged under the Highway Traffic Act if he's over 12.

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Mr Huget: If they're over 12?

Ms Clarke: Yes, because the Provincial Offences Act says that no one under 12 may be charged with a provincial offence, but you may be charged with an infraction on a bicycle if you're 14 or 13 or 15. You may be charged under the Highway Traffic Act for not stopping at a stop sign if you're on a bicycle.

The Chair: Mr Hope.

Mr Hope: I'll just wait a second.

Mrs Cunningham: We're right back where we started now.

Mr Hope: I was listening to that and I lost the thought.

Mr Huget: Sixteen is good with me.

Mrs Cunningham: Me too.

Mr Hope: Can I ask a question?

The Chair: Sure you can, Mr Hope.

Mr Hope: Why wouldn't the legislation apply to off the roads, in the school yards and parks? I guess that's where you would probably say it was mostly needed, especially with some of these motocross bicycles. You would think that's where it'd be required. You could come from a school yard, go in the street and you're on the sidewalk, or wherever, and then find out you had police officers coming there to charge you. I think what you're doing is entrapping individuals when you start double-standardizing that aspect. You've got to wear a motorcycle helmet when you're driving a motorcycle on a road, and when you go cross-country, or when you're doing motocross, you still have to wear a helmet while operating

the motorcycle. I'm just wondering why the double aspects of it. Are we not trying to intimidate individuals into actually breaking a law?

Mr Klopp: I think, in all fairness to Mr Hope, he wasn't in the committee for the full hearings when we were discussing this. Correct me, anybody else who's been on the committee for a while, but paraphrasing it the way I remember it, this question was brought up and it came down to police officers can't go on to private property to charge someone.

We thought the intent of this bill was really to get people to wear it all the time. As you pointed out, if you're going down the street to the school yard, chances are you're going to get in the habit of wearing the helmet. You realize how safe it is and you won't be that flippant to say, "Well, I'm taking it off now I'm in the school yard," and then as soon as they get on the road they'll throw it on. It really came back to the fact of how we answer this about police and municipal police enforcing it, so we thought we would go with this for now as the best opportunity to get people to wear helmets.

Mr Hope: I would buy your argument but school yards are public property, not private property, and parks are usually public property, not private property. I'd have a hard time buying that argument.

Mr Klopp: Well, police cars have a hard time tearing around school yards and also going down walkways, but it can be done. I've seen it on movies.

Mr Huget: Could I make a suggestion that we go through this document the way it's laid out, so we can deal with the specific concerns as they appear in the document? We'll get to the other parts of it that are related to each other, I suppose, at some point in time. But if we can start through it now, I think we'll get somewhere. If we don't, we're not going to get anywhere.

The Chair: The committee can do whatever it wishes and that's a fine suggestion.

Mrs Cunningham: Well, we've got two questions already, I think, up to page 5, with regard to the coverage and the age.

On page 6 we're looking at the next issue, which was exemptions. The recommendation from the interministerial committee here is that we add the following clause to the bill, because we thought there should be no exemptions, and I think we've got agreement here. But we did feel the committee should be able to have—that no exemptions are included in the bill, but that exemptions ought to take place, especially for people with medical conditions.

There are other reasons on the top of page 6, so not to get into the detail, the ministry is saying we should add after, "The Lieutenant Governor in Council may make regulations," the following, which will be part (c) under "Lieutenant Governor," clause 2, "classifying persons, and exempting any person or class of persons from the requirements under subsection 2 and prescribing any conditions for any such exemption."

There will be exemptions in the regulations is the point. There are medical reasons and religious reasons why people can't wear helmets, so we're saying under the regs that can happen. I think we would all agree that's fair. Now on to your issue, Mr Hope.

Mr Hope: I'd like to ask a question around exemptions. Again, I wasn't in the committee to hear the hearings and I wanted to ask the question, are we considering a bicycle two wheels or are we considering bicycles three wheels? A lot of our older adults drive the three-wheelers and I have to ask that question. What's considered to be a bicycle, two wheels, three wheels, four wheels, anything that's pedal or motor operated? I have to ask that question when you are talking about exemptions, because I haven't had the in-depth conversation you've had, Dianne, around this issue.

Mrs Cunningham: All I can do is refer us to chapter 8, the Highway Traffic Act. Bicycle comes under the definition of "vehicle." It "includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power." I suppose if someone's using his muscles with a tricycle or something with four wheels, it involves this act. That's interesting, isn't it, anything that's being driven by muscular power.

Mr McGuinty: Do you understand, Dianne, then that would mean a toddler on a tricycle would have to wear a helmet under this legislation?

Mrs Cunningham: Yes.

Mr Klopp: If they're going on the road. If they're travelling up the road, they have to wear it.

Mrs Cunningham: The unfortunate part about that is, remember, we're going to allow some lead time, and we've been told there aren't helmets approved for children under the age of five but our expectation is that in the next year that will happen and we're giving enough lead time in this bill as well. That would take care of it. If there's no approved helmet according to the standards we want, then you can't ask people to wear them.

Mr Klopp: Also, I think it should be pointed out, before we get going too far, that it's on the road we're talking about. If a child is in his or her yard, the police aren't going to come up on to the roadway, although, just for information, my three-year-old has a helmet—I guess she was two—in our yard. I never had a helmet. Maybe that says something, I don't know, but Heather made her wear a helmet on a three-wheeler. I kind of laughed, but I forgot that we do fall from time to time and I was glad she did have it on, just to show that, really, they should learn from a very young age.

Mrs Cunningham: I think we can get into that part now if everybody's ready. It's the one Mr Hope is wondering about, where should coverage apply?

Of course we did have a chance to look at the definition of "highway" under the Highway Traffic Act, and it says that it "includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles." I think that's the key, "intended for or used by the general public for the passage of vehicles."

On page 7, I think there's been a lot of effort by the Ministry of Transportation to explain to us that on-highway helmet use requirement. That's what we're talking about here, but we also want off-highway use of the helmet as well. They're saying that there ought to be a lot of public education

about wearing your helmet at all times and that we should be monitoring that, the effects of Bill 124.

I think that's extremely important, because we want to see increased compliance, I would think. From the minute we say this bill will come into effect, it would be very nice to be able to monitor and say even before the bill is passed that we've got 50% compliance. As a matter of fact, if we got 90%, some of us may come back and say, "Why do we need the legislation?" There is an opportunity for the people who don't want legislation to wear their helmets and prove to us that they don't need it anyway, given flexibility.

But where should coverage apply? We're saying exactly as it does now, with the present definition of "highway." I think that's what we expected, isn't it?

Mr Klopp: Yes.

Mr Huget: Yes.

Mr Hope: Just to make a comment on the process of public education, I know we focused the energy on—and the way I read this we focused the specific energy only on—the wearing of helmets and the promotion of helmets. As a person who's driven a motorcycle before, it's not necessarily the individual riding the bike who is the one who's causing the accidents; it's usually the car driver who doesn't see the cyclist. I'm wondering, as you're talking about public awareness, if you couldn't encompass both the awareness of bikers and the awareness of helmets. I'm wondering if it couldn't be a joint effort on MTO's part, because we have to educate those who are driving cars, motorcycles or whatever to pay attention to cyclists. If you're focusing your energy, you should focus on both ends of the stick.

1600

Ms Clarke: Actually, for years, each spring the ministry has had a public awareness campaign. We've targeted adult cyclists, we've targeted child cyclists and we've targeted motorists, stressing that motorists and cyclists need to share the road and obey all traffic laws. This year staff are planning a spring campaign on bicycle safety in general, with a focus on helmets.

Mrs Cunningham: I think it's stressed on page 15, where we talk about implementation. Perhaps we could look at enforcement now. The committee—that was us—recommended that the general penalty read as follows: "Every person who contravenes any of the provisions of this act or any regulation is guilty of an offence and on conviction, where a penalty for the contravention is not otherwise provided for herein, is liable to a fine of not less than \$60 and not more than \$500." But we also know that the out-of-court settlement fines for all offences for which the general penalty applies is \$75, plus \$3.75, for a total of \$78.75.

We were talking about the \$78.75 in our committee. Do you remember the long list of fines? They were all consistent at \$78.75. So the response from the interministerial committee says, "No ministry specifically opposes a fine being set at this level; however, some concerns were expressed, which are noted as follows." The Solicitor General recommended a minimal fine "because the greatest compliance will be achieved through innovative enforcement practices, including education."

Most of us had an opportunity during the deliberations to take a look at other jurisdictions, and many, of course, didn't fine. They warned and gave people opportunities to go home and get their helmet. What we really want to do with this bill is to make certain that people wear their helmets, as opposed to being noted for our ability to levy fines.

I thought the Ministry of Citizenship was interesting and recommended "the government do whatever possible to ensure that helmets are affordable for lower income families," and, "If access to helmets is limited because of costs, then the fine level for noncompliance is obviously also prohibitive." I think the ministries are telling us that if we don't have to fine and we can give warnings, that ought to be the direction we should move. But in spite of all the concerns, it was also concluded that the out-of-court fine be \$78.75.

If I can continue on with the enforcement practices, because I think it goes together here, they talk about common practices of police to give drivers found to be not carrying their licence 24 hours to produce it later at a police station. This is simply a common practice and I think the response to whether or not that would be appropriate for us was that there was consensus among the responding ministries that more research is required in this area. I don't really know what that means, except that education is the key and that the Toronto City Cycling Committee supported an educational enforcement philosophy—educating. Then the Ministry of Transportation suggested that the Solicitor General be requested to provide further information in this regard.

I think this is an ongoing application of the law rather than holding us up. I think they're just giving us advice for down the road. I don't know if anyone has any comments on that, but I'm not surprised with the information we got back.

The Chair: Ms Clarke, you wanted to comment.

Ms Clarke: I just wanted to get on the record that the out-of-court settlement, the fine, is now \$90. I thought it should be reflected that it's steeper than before.

Mrs Cunningham: As of December 1, was it?

Ms Clarke: November 16, I understand.

The Chair: Research has asked me to clarify that. Is that the increase in fines that a bureaucrat from the Ministry of the Attorney General attributed to the province's need for more revenues?

Ms Clarke: Yes.

The Chair: Research has asked me again to further clarify that, because there would then seem to be little distinction between raising revenues and assessing fines for the purpose of deterrents, and one wonders which is which.

Mr McGuinty: I don't recall having an opportunity to debate that. Did we address that in the House, Mr Chair?

The Chair: You should have been around here with the last government.

Mr Huget: I don't know how research can ask all those questions without moving her lips.

The Chair: It's incredible, Mr Huget. Research and I think the same way about so many things. It's almost as if one could read minds.

Mr Huget: Are we back to business? First of all, because of that \$90 stipulation, I have some real concerns about that

level of fine. That's a serious level of fine for a lot of people; 90 bucks is 90 bucks. If you're looking at a family that may be cycling down the road, none of them wearing a helmet, five of them, it doesn't take very long to add up to a big chunk of money. That's why the second part of the enforcement thing becomes very important for me.

If someone is given the opportunity to produce a helmet, for example, within 24 hours, rather than a fine, I think that's a much more fair-handed approach. I wouldn't like to see somebody fined \$90 on the spot because he doesn't have a helmet. I am concerned about that. I couldn't support a \$90 fine without some kind of mechanism to allow somebody an opportunity to appear with a helmet, which may cost less than the \$90.

Mrs Cunningham: At the top of page 9, with regard to enforcement practices, the common practice of the police with the 24 hours—that's all we have now, common practice—do you think we should go a step further and put it not in the act but in the regulations?

Mr Klopp: Whatever, as long as it's there.

Mrs Cunningham: Should we ask about that? We've already asked two questions. Why don't we ask?

Mr Huget: I think we should. As I understand common practice, it's also discretion. That doesn't need to happen. The police department could, as I understand it—I think we need some clarification around that—immediately fine someone. They don't have to give you 24 hours to do anything. I think that's a discretionary thing.

Mr Klopp: We want this to be right in the regs.

Ms Clarke: I should point out that if you don't have a horn on your bicycle, you would also be subject to a fine of \$90, as the act stands today.

Mrs Cunningham: Or a light. There's a whole list of offences. I probably have them here.

Mr Huget: It would be interesting to get the statistics on how many people in Ontario were fined \$90 for not having a horn on their bike. I bet you can go quite a few days before you'll find a charge and a conviction on that. What we're trying to do is get people to use a helmet, and if nobody has a light and nobody has a horn, those are equally as important bicycle safety issues. Perhaps the 24-hour compliance with bicycle lights and horns would do the same thing: It would make people buy a light and a horn.

Mrs Cunningham: I'm going to tell you what these are. Right now the improper bicycle lighting is \$13.75; that's the exception. The others are \$78.75, which would now be \$90?

Mr Huget: Yes, \$90.

Mrs Cunningham: Listen to the list: improper brakes on bicycle, no horn on bicycle, disobey officer directing traffic—

Mr Hope: Holy cow, they should go to jail.

The Chair: I think the record should show that Mr Hope was only joking.

Mrs Cunningham: It's very important to say that too, isn't it?

—drive on closed road, disobey stop sign, fail to stop, fail to yield to traffic on through highway, fail to yield at yield sign, fail to yield from driveway, fail to yield to pedestrian,

fail to yield to pedestrian approaching, pass stopped vehicle at crossover—and there are 14 others. So we're adding the helmet to a list of, I don't know, 25. People should know that we may be asking for something that's extremely important here, but there are 25 other items that are just as important in riding a safe bicycle.

1610

Mr Huget: Absolutely. I agree with that, except that I bet there aren't many prosecutions for not having a horn on your bike, for example, or for not having a light or for not yielding to pedestrians.

My informal study that I've conducted since we started discussion on this bill, getting run down almost on a daily basis in a crosswalk by a bicycle without a light or anything else—I guess my problem with this bill really is that the helmets and the horns and the lights are all fine and dandy, but if nobody uses them and we can't get this issue of safety higher on the priority list of the general public—that's why I refer to having 24 hours to produce a helmet; maybe we should have 24 hours to produce a light and a horn as well under those types of prosecutions, because they're just as important.

If you're going to fine somebody \$90, you could say, "You did not obey the law and we fine you \$90," but what's really important here? The fine is not important. What is important is the helmet. If we can give somebody 24 hours to produce a helmet or they'll be fined the \$90, then I think you might be doing something constructive.

Mrs Cunningham: I think it's important that when they talk about the responsibilities of the police in any of these things, passing a streetcar improperly, riding two on a bicycle etc, if the police officer finds any person contravening any provision under this act or any municipal bylaw—which may be the one about your own sidewalks or driveways if a municipality chooses to do so, or a bike path through the woods—the police person requires the person to stop and identify himself or herself. They have to give their correct name and address. They may arrest without warrant any person who does not comply with their orders to stop, but they don't automatically fine them. They'd have to charge them; somebody else would fine them. It says common practice—that was what we got back—has been to send a driver of a car home. Surely they'd send someone riding a bicycle home, give them some time.

Mr Huget: It's a discretionary thing, and that's my problem: The police are not forced to do that. In the implementation stages of this bill, which would be over X number of years, in order to accomplish the use of helmets we might be better off if there were something that gave someone 24 hours to show up back at the police station with a bike helmet. I think that's positive.

Mrs Cunningham: I do too. Let's ask the question. Certainly in many of the American states, it was in what we would call the regulations, so let's ask. We would like to be able to do that. Who would we be offending? Is somebody going to get very excited about this?

Mr Huget: It's a major change in terms of the province's policy. Over a certain period of time, it will become accepted, I would imagine, and people would automatically buy a helmet. That's what we hope. But during the implementation

stages, it might be a little bit more humane if we give somebody the option of getting a helmet; if they don't, they're going to pay a \$90 fine. This is new policy in this province.

Mrs Cunningham: That's a question, Mr Chairman.

Mr Huget: If I could have an additional question? I know it's not with your Bill 124, but I would like to know what the situation is with horns and lights as well.

Ms Clarke: Do you want me to answer? Right now the act is specific. Actually, the act says you have to have a bell, gong or horn on your bicycle.

Mr Huget: Could you easily access the number of people who have been charged in the province of Ontario over the last five years for not having a horn and a light?

Ms Clarke: I believe I can. I'll get back to you Wednesday.

Mr Hope: I was amazed to listen to what Mrs Cunningham put forward about horns and brakes and all that issue, because it all boils down to public relations. I remember driving down the street and watching the kids playing in my neighbourhood, and I'm sitting there wondering how many of them actually have horns and lights on their bikes. And we're listening about charges and everything else.

We're talking about partnership. Under this, I'm wondering if there wouldn't be a promotional aspect for those who manufacture bicycles to jump on the bandwagon. If we're to make this publicly acceptable, I think what we'll have to look at is a venture process with those manufacturers that produce the bikes to start informing the general public, especially in the province of Ontario, about what is required for safety.

I'm sure no parents would like to see their child driving an unsafe bike or potentially being fined. It all boils down to communication. If you start hitting people with \$90 fines, as Mr Huget says, I'm sure there's going to be a reaction. If we can get the public participating in this in a friendly—what's the old saying? You can get more out of honey than you can out of vinegar, however the saying goes.

If we're talking about a transition time, I believe there has to be a more effective transition process, and the transition process would be around those issues you've just raised today plus the issues of the helmets. Then in conjunction with the manufacturers, I think those people who produce and sell the product have a responsibility to make sure that the public—and if this isn't under consumer protection it should be—is well informed on the whole issue of safety. If we're notarizing this issue, we should be saying there is a partner out there we're forgetting about. We're talking about educating the public, but I think the ones we have to educate are the manufacturers that produce this product.

Mr Huget: Following in that vein, when I look at bicycle lights and bicycle horns, I wonder if it isn't time in this province that manufacturers of bicycles are forced to include a light and a working horn when they sell a bicycle. Can't that be manufactured in? We put so much emphasis on safety. We require that automobiles have seatbelts, and now there's a move to air bags and other protective devices and emergency brakes and all the rest of it. In terms of bicycles, which are now a major form of transportation both for work and for recreation, suddenly this an option; you can always go out and buy a light or something else after.

Is that the way it really should be? Are we at a stage where those manufacturers should manufacture a safe product? A safe product includes a headlight and a working horn and whatever in terms of bicycles in this province.

The Chair: Of course, part of your inquiry is, how many bicycle manufacturers are there left in the province?

Mr Huget: True.

Mr Hope: Well, in order to sell your product here, shouldn't you have consumer protection in mind, protection of those individuals who buy it? So if they don't want to produce the product here in the province of Ontario—they have restrictions they have to live with. They can always move the factory here and start producing it and understanding better what the people in Ontario want. I don't buy that excuse, just because they don't build it here.

The Chair: Perhaps with the accompanying query as to the constitutional power of the province as compared to the power of the federal government and whether that federal jurisdiction applies solely to motor vehicles and not to bicycles, and perhaps the province acquires status vis-à-vis bicycles that it wouldn't have with respect to motor vehicles.

Mr McGuinty: I thought we had raised the question originally—maybe I'm mistaken—as one of the questions we submitted to this interministerial committee of whether the police felt they had time to enforce this kind of law. It's very clear that right now they're not enforcing other laws regarding bicycles, reflectors and lights. Are we going through the motions here in order to put a law in the books which will not be enforced simply because the manpower isn't available, the funding isn't there?

Mrs Cunningham: My view of the argument would be the same as for seatbelts. What are we saying? To me it's that simple. We're told that legislation isn't enforced now, but the Toronto City Cycling Committee is saying that legislation in this case should be a deterrent. We want more people riding bicycles, and we want everybody who rides bicycles to wear helmets.

We really are in a catch-22, but the responsibility of this committee was to decide whether the helmet legislation was timely and responsible. I think we all voted unanimously in favour of that. Now we're trying to see how it can best be implemented. I think that at the same time we really do have to underline the need for public education and the need for lead time for the manufacturing of the helmets. We'll get on to that part soon.

I think the issue of enforcement has always been a problem for the committee, but we were told it is equally a problem and a matter of priorities for our police officers. In any community, at any time, it could be different.

1620

Mr McGuinty: On another matter, what about providing that the penalty provisions wouldn't kick in for a fixed period of time, six months, 90 days, whatever? It becomes law, is on the books, but enforcement doesn't begin for a fixed period of time.

Mrs Cunningham: I think that's a good idea and I think we should ask that as part of the last question. Perhaps this would be a good alternative for us. This is exactly what we're

looking for, these kinds of specific ideas. One is, can we put it in the regs or are people going to get really upset like they do about writing reports? The second is that if we can't put it in the regs, can we say that this part is effective two years from now and that then we review the incidences, but that the fine not be established until six months later or something? Is that what you're saying?

Mr McGuinty: Yes.

Mrs Cunningham: I think that's a good idea, a good question.

The Chair: Except that the committee might want to note that there is precedent now for bills having full force and effect, but the police being called upon not to enforce them; to wit, the Retail Business Holidays Act.

Mrs Cunningham: Something like that. Can we move on to the issue of helmets, which is the next one? We had two good questions, I think, from that section.

On page 10, where we're talking about standards, we were pretty unanimous in talking about the CSA because we had some pretty good presentations before the committee that said the Canadian Standards Association standard in fact was the most rigid. However, it is interesting to note the response from all the ministries commenting on this issue. They felt that the three identified standards should be acceptable.

The ministry of Industry, Trade and Technology answered a further question with regard to stipulating that if we do say that the CSA would be the only standard, this "would not constitute a trade barrier provided the standard is based on sound scientific principles, and that the requirement is applied nationally." I don't know what jurisdiction we've got there. "This means that regardless of where a helmet originates, it must meet the same standard." That means that if it originates out of the province of Ontario, or out of our country, it must meet the same standard. "There could be no exemption from the CSA standard requirement for out-of-province tourists, for example." But we weren't thinking of this, were we? We pretty well said we wanted the best standard. This would be something we'd have to reconsider, given the report.

Mr Hope: When I read about the CSA-approved bicycle helmet, I have to ask a question. Again, I wasn't at the committee hearings. For instance, and I use the example myself, I have a younger child who plays hockey. He uses a CSA-approved hockey helmet which is proven for shock and everything else. Would that helmet then be appropriate enough to use on a bicycle because it meets CSA-approved standards? I'm looking at the family income level. We're trying to promote helmets and safety and I'm looking at a way of making sure the utilization of a family income can be distributed over more than one—

Mrs Cunningham: Actually, the response to that is definitely no. The physicians and the manufacturers who came before the committee actually said it could be dangerous to wear helmets for certain sports where you're not practising that sport, whether it be football, whether it be hockey. It was quite an interesting day when the experts came before the committee in that regard. The good news was that when they came before the committee, when we first started our deliberations over a year ago, the helmets were at \$70 average and now we know that we can get these CSA helmets for \$25, which is really great.

Mr Hope: Still, \$25 is a fair amount to a family—

Mrs Cunningham: Yes, but it's a lot more expensive if somebody has a serious accident.

Mr Hope: —and clearly understanding that, but I'm just looking at the needs of children. I know from experience, because at seven and nine years old I know how much they always want. They think the bank account is unending. In order for us to meet rules and regulations of the government, I have to ask the question: Is there a way that these individuals making helmets make them more universal, to meet more than one need which is helping the families out, I guess, and providing the safety?

Mrs Cunningham: We didn't ask the question, but knowing the way secondary school hockey teams and football teams would like to have had that approach, I can remember some 15 years ago when we did ask that question, they said, "No, totally different accidents; You fall in a different way."

We actually had the question asked with regard to riding skateboards too, and we couldn't answer it. I think the committee has to take a look at this because this is different than what we expected.

Mr Brad Ward (Brantford): I think, on the issue of standards, it's appropriate that we have representatives from the Brantford and District Head Injury Association here, who just happen to be meeting with me today.

Mrs Cunningham: That's good.

Mr Ward: We found out the committee was holding the meeting on this issue. I'm sure they're finding the discussion of interest.

When you look at standards, if we address all our concerns and the questions that have been asked in this report, I think this committee should recommend the Canadian Standards Association because its standards, on reading the background, are more rigorous and I believe its auditing system would ensure that any helmets with this CSA sticker would in fact meet the requirements of its testing procedures, whereas I wouldn't have as much faith—it's just my opinion—in the American standards and how they apply those standards.

What I think is important is that we inquire with the Ministry of Industry, Trade and Technology to clarify what it means by the fact that the requirement is applied nationally. It won't infringe on any trade agreement. Does that mean the CSA has a national standard and that if we restrict the others, then perhaps Ontario is infringing on the free trade agreement or any other trade agreements in operation at the federal level? I think we can get some clarification there from the Ministry of Industry, Trade and Technology on the wording of exactly what it means when it says the requirement is applied nationally. I think the preference of this committee would be to suggest the CSA be the only organization that can recommend which helmets are safe and which ones should be used in the province of Ontario.

Mrs Cunningham: In response to that, that was certainly the evidence we heard. There wasn't, I don't think, anybody who said we should have all three.

I thought it was also interesting that manufacturers of the ANSI, and the Snell Memorial Foundation, with the testing that goes on—I've been told by salespersons in the stores that really, some of them will just need to send them for

approval—they would meet the requirements if they just took the time to get them approved. They would meet the requirements of the CSA with regard to testing and manufacturing now. They realize that is a direction they should be moving in. Perhaps, if we're given two years' lead time, they're going to know what we want.

The other thing is that we really are encouraging Ontario to produce its own if it can. We have had a little bit of interest, my staff tell me, in manufacturers, certainly designers in our community colleges, so perhaps that's even more of an incentive for them to get busy, if they know that's our requirement. I think it's exciting.

Mr Ward: I have one question I hope can be looked at at future meetings. In my discussion with Sandra Webber and Lawrence Palk of the Brantford head injury association, it was brought up that there's two different types of helmets: one, the shiny type; the other, clothlike material. In the event that an accident occurs, the shiny helmet allows greater slidability, I guess, in an accident, whereas the cloth would have a tendency to grab the pavement and possibly risk greater injury. The question I would have—perhaps we could find out—is, does the CSA, when it examines helmets, differentiate between these two types of helmets? I think that would be an important fact for this committee to have.

1630

Mrs Cunningham: Okay? On page 12 we get into the issue of affordability and the response on that one, and this was with regard to Mr Hope when he talked about posing hardships:

"Ministries provided input on initiatives to make helmets affordable suggesting varying forms of rebate programs. With the exception of the Toronto City Cycling Committee it was not felt that affordability of helmets would deter cycling. However, as was stated earlier, formal evaluation post-implementation could confirm or refute this assumption."

Otherwise, if we find that we are in very big difficulties with regard to affordability, we may have to take some action.

I thought this section was thoroughly done, by the way. I think the ministerial committee did reach out to get some input and some ideas into this report for us. The Ministry of Health, working with the Ontario Public Health Association and the Toronto City Cycling Committee, has been very helpful throughout the whole thing, the Ontario Medical Association and the Canadian Tire Corp with its rebate programs, and I think the list goes on and on.

There are some examples the Ministry of Treasury and Economics provided as an example of programs that are going on right now with regard to—I guess this is energy when they talk—\$5 on fluorescent light bulbs, I guess you can get; every household in Ontario recently received two energy-efficient light bulbs; a \$100 rebate on the purchase of fuel-efficient automobiles; child care seats are tax-exempt. Maybe there is some kind of incentive we can think of here with regard to purchasing your helmet, the biggest one of course being that you're safe.

I'm not sure there's anything to add on that section. I think it's a tremendous concern for us, but there's no way around it, according to this report.

On page 15, where they talked about implementation, number one, education and awareness, there was absolutely no doubt in any of our minds that this had to be a priority and I think this report, through the Ministry of Education and the Solicitor General and Tourism and Recreation and Health and Transportation, responded in a very conclusive manner. Appendix 3, I think, goes into great detail in that regard.

To go further, where there could not be consensus among all the ministries—oh, I'm sorry. I must have missed something on the time frame. I must have jumped something here, the date Bill 124 should come into force. It's my understanding that just the Ministry of Health had some difficulties with that. Yes, here we go, on page 18. They wanted it to become effective October 1, 1993, which would be less than a year from now. As you remember, we were talking of October 1, 1994, but all the other ministries agreed with us that it should be 1994.

Then in the conclusion it says, "With the exception of the date the bill should be implemented, there are no issues where the ministries are strongly opposed to the direction of the standing committee," which I think is a credit to our hard work, Mr Chairman, where we took the time, I think, to list for the ministries some specifics about what we wanted, which wasn't always easy, because to tell you the truth, when we first started to study this legislation, we weren't sure.

Then I think the key page is appendix 2, where there are the recommended revisions as a result of this report.

The new sections are (3) and (4), and we have a choice on (6), and (5)(c), in the darker print. I think we should seriously consider making these amendments and then coming back for the responses to the three questions that we asked and completing this. Maybe it would be fairer to do the clause-by-clause, but perhaps we could move them now. How would it work appropriately, Mr Chairman?

The Chair: You propose, I trust, to adopt the suggestions in this report and to then move those amendments. That would eliminate the need for written amendments, even though written amendments aren't, of course, necessary. Somebody else wanted to comment on the procedural matter.

Mr Huget: As I understand it, appendix 2 is all the amendments and revisions. Is that right?

Mrs Cunningham: They're the recommended ones, unless something comes out of our questions.

Mr Huget: So if we move those, recognizing that there is a choice in (6) that we may not be able to resolve today, I don't know, if those are the amendments, then will we just move that appendix 2?

Mrs Cunningham: Could I ask a question? Perhaps somebody from the Ministry of Transportation could help us. Have these been vetted through legal? They haven't. So perhaps if we show intent today, they can be vetted and ready for Wednesday. So that is an appropriate recommendation, Mr Chairman.

Mr Huget: Yes, I would support that. We let them know that we're planning on submitting appendix 2 and that they should be checked for legality, recognizing that we still have a question in (6), whether it should be two years after or October 1994. But I think that's minor. We can deal with that problem at some point.

Mrs Cunningham: The choice would be probably October or December, because this is going to happen in December, right?

Mr Huget: Yes, I suppose. But that's not an issue that's going to derail the whole process.

Mrs Cunningham: We would just all know that it would be the first day of October, if we were specific there, that's all, as opposed to the 17th. We're thinking now this is going to happen before December 10.

Mr Huget: Either way, there's only a few months' difference.

Mrs Cunningham: That's right.

Mr Huget: So as long as they know that, I think that solves their problem, and we can deal with that on Wednesday.

The Chair: Are you suggesting that we defer clause-by-clause consideration of the bill, or that we proceed with that now?

Mrs Cunningham: It's just that we were told that legal hadn't done the work they needed to do with regard to appropriate language. So I think what we could do, as was suggested, is that I would make a motion, actually, to accept the report, with thanks to the ministries for the hard work that went into it.

The Chair: Mrs Cunningham's motion to accept the report with thanks to its authors: Any discussion? All in favour, please indicate. Motion carried.

Mrs Cunningham: I would move, subject to the appropriate language, that in appendix 2, with reference to Bill 124 revisions, we add to section 104 subsections (3) and (4), which would read:

"(3) No person shall ride on or operate a bicycle on a highway unless he is wearing a bicycle helmet that complies with the regulations and the chin strap of the helmet is securely fastened under the chin";

"(4) No parent, guardian or legal custodian of a person under sixteen years of age shall authorize or knowingly permit that person to ride on or operate a bicycle without wearing a bicycle helmet as required by subsection (3)."

Under subsection (5), we would add:

"(c) classifying persons, and exempting any person or class of persons from the requirements of this section, and prescribing any conditions for any such exemption."

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Then under subsection (6), I would say this one, because I think it would be a compromise with the ministries and the Ministry of Health, which wanted it a year earlier. So I think what we should do is not make it any later than what we suggested. I would say that this act comes into force on the first day of October 1994, just taking into concern the Ministry of Health, which wanted it actually on the first of October 1993. I'd offer that, Mr Chairman, with those comments.

This, of course, is not to be passed but to be referred to the legal counsel for verification of the appropriate language.

Mr Hope: It's around the whole issue of bicycle safety where the emphasis has to be. We're finally bringing to light an issue about bicycles and, as I've just been in this committee for the day, I've learned a lot.

What I am looking at is a product that is being sold unsafe in Ontario to the consumers of this province. I'm looking at this legislation and saying I don't see anything that addresses that, which really puzzles me. The key to success is communication, and if we don't have proper communication, we fail, and when I look at this legislation I don't see anything that's addressing the manufacturer's responsibility of selling a product that is safe.

The Chair: That's quite right, because, I'm advised, it's an amendment to the Highway Traffic Act.

Mr Hope: As it's amended to the Highway Traffic Act. Then why is it not in this legislation saying it's the responsibility of the manufacturers?

The Chair: Others may want to respond, but I am advised it's because the Highway Traffic Act regulates conduct on highways. Go ahead, Mr Huget.

Mr Huget: That's my understanding, that we were not mandated to do that. We were mandated to deal with helmets and the Highway Traffic Act. It does govern conduct on the highways.

I guess the point Mr Hope is trying to make, and I'm going to attempt to make the same point, is that perhaps this committee, at some point before it's finished with this bill, can make a unanimous recommendation to somebody, whether it's the provincial government, the federal government or whatever, to look at the whole issue of safety standards in bicycles and whether or not they should be sold safe.

If we demand that as a society for almost any other consumer product—and more and more all the time those that weren't covered now are—I think the least we can do is put some onus on the manufacturer to respond to a situation. I think it's the same right across the country. I know it to be the situation here in Ontario. We may be in a position, and I hope we are at some point, to make a very strong recommendation that the issue of standards of safe equipment be included in the manufacture and sale of bicycles in this province.

The Chair: I am grateful, however, to Mr Hope and to you, Mr Huget, for addressing this particular issue, because this committee can return to the Legislature with the bill only—that is Bill 124—or it can return to the Legislature with the bill and a report as a result of all of its inquiries. The impression I'm getting is that committee members may be interested in seeing not just the bill returned to the Legislature but also a report and some of these concerns being addressed in the report. If I'm correct in that interpretation, say so, so that Ms Anderson can address her mind to it and assist us in preparing that report.

Mr Huget: That's my point of view in terms of the equipment safety issue, and I think there are other outstanding issues that should be dealt with in a report back to the Legislature, such as the whole question in terms of municipal planning around bicycle use, bicycle pathways and all those types of things. I think we can make some report back to the Legislature about the significance of those issues as well, because they are important; not included in the bill, but simply some kind of report.

Mr Hope: Why I bring this issue up is because we are looking at a date that this will be coming into effect. The people out there who may not follow procedures of government

become victims because maybe communication has not worked and it has not reached into the homes. I'm looking at safety of individuals.

We're talking about an enforcement date and I'm sitting here saying there are some other responsibilities on manufacturers and us, as legislators, to make sure that we do our best to protect the citizens.

If I'm looking at implementation dates, which are in the bill, I've got to ask, where are the manufacturers' positions and where are they going to contribute in making—we may be able to make a reality of October 1993 if the manufacturers come on stream in providing this service right away. That's why I'm bringing these questions up, because if we can make it better than it is in the enforcement aspect and in the safety of individuals, then why not? I think we have to explore those avenues. That's why I bring the question up, because we're talking about a date in the bill too for enforcement.

The Chair: I want to make sure we all understand you. Are you, among other things, suggesting some dismay at the fact that people who would manufacture these helmets haven't been more active in offering their services in the education campaign in view of the fact that they're the ones who stand to make a great deal of money out of it and the silence is particularly deafening?

Mr Hope: To be more exact, yes, there is a profit to be made on this issue and we're going to be putting a law in place that helps the profit margin increase. I think there's a total responsibility of those individuals to come forward to make this initiative that we're looking after—the safety, the health costs and every other thing that's possible—they should be in the forefront of this motivator. If they are in the forefront of it, that means we won't have to worry about, as Mr McGuinty put forward, the police officers having the time actually to do the charging. We eliminate all those major concerns by getting them committed and in the forefront on this issue.

The Chair: Point well made.

Mr Len Wood (Cochrane North): Just on the issue Mr Hope raised concerning the manufacturers of the bicycles and the helmets, this legislation was brought forward—and I congratulate Dianne on bringing it forward—for the safety of the children, to prevent the pain and suffering and death that are the results of bicycle accidents where they don't have protective equipment. Anything we as a committee can do, hopefully unanimously, to put out a recommendation that the manufacturers of bicycles should make sure that all the equipment is on there to make it safer for not only children but teenagers and adults and anybody involved—the goal is that whether it be bicycles, four-wheelers, skidoos, cars, trucks, whatever, if you can prevent some of the slaughter on the highways by bringing in a recommendation here, I think we should be all for it.

Mr Klopp: I'll get back to the recommendation that the act comes into force on October 1 rather than royal assent. I'm assuming that those questions we did have today will get answered next week and we'll get on with it.

Remember that during our committee hearings there were other groups that had great concerns. We were concerned about families that could have financial troubles, or even

about myself, trying to get all this done. No one is saying in the act with the Education portfolio, which many groups said they would do, that we're holding people up from getting to 100 per cent. It's just that we did want to take some of the stress out of some people who would chew on the bark that we're ramming it down their throat rather than getting on with the safety of even themselves.

So I'm comfortable leaving it as October 1994, because it by no means states that we're holding up—the nurses' association, the school groups and even the helmet companies, once they see that this is down, October 1994 will come quickly enough, and I'm sure that in the good entrepreneurial spirit, these groups will just go crazy. Let's just leave it as October 1994.

The Chair: I thought you were going to suggest perhaps October 1995, but that might have seemed a little opportunistic.

Ms Clarke: I just wanted to make a couple of comments. The Vice-Chair talked about going back to the Legislature regarding recommendations on cycling facilities and paths etc. In July, the minister announced a revised bicycle policy in the Legislature, and I could provide a copy of those reports to the committee if you'd like.

Mr Huget: We may still want to make a recommendation that somebody implement it.

Ms Clarke: Regarding Mr Hope's comment about the manufacturers' involvement, manufacturers have taken quite a role in terms of helmet rebate programs in the past. We have targeted them before and they have been responsive.

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Mr Hope: You know, it's nice that they're taking a promotional aspect, but this is a requirement that should be on the bicycle as of it becoming law. It's a consumer protection issue.

A car manufacturer cannot sell a car in the province of Ontario without having seatbelts in it. Seatbelts have to be in the car, and we use the arguments about seatbelts. I believe that lights on a bike, brakes and helmets and all that issue should be part of the standard equipment of a bike. I think there's where they have to play the role.

Yes, they can do rebate programs, but it should be a package part of a bike, so when you buy a bike there's no excuse not to have the helmet on because when you purchase the bike everything is there; it's a package deal.

I think the rebates are nice but the working family that may be making \$8 an hour might be able to buy a bike, but to buy a helmet that's probably worth more than the bike is worth represents some hardship to those families. I've got to respect those individuals with lower income and the working poor. They don't have the luxuries of nice cars or nice new bikes; they use other bikes. I just want to push that issue out. I think there is a total responsibility on their behalf.

Mr Huget: Would we be in order, being that the bicycle policy thing was introduced in July, in making some kind of statement emphasizing the importance of that strategy and putting it as a priority in terms of safety in conjunction with this bill? Really, I think there's a tendency here to deal with this bill as only a helmet bill. It's a people bill and it's a safety bill.

I wonder if we would be in order to—seeing that it was introduced in the Legislature—bring to the Legislature's

attention the importance of that policy and the raising of a priority, if it's required, to implement some of the parts of that policy.

Ms Clarke: I think you could best answer whether it would be in order.

Mr Huget: I guess my point is, would it be worthwhile doing? I know that there are policies, and there are policies probably sitting in dust somewhere since 1965.

The point I am trying to make is that I think this committee should make a couple of recommendations when it reports back. One of them is around the manufacture of bicycles and standards around that for safety features like horns and lights, and the other is whether someone's gone to a lot of time and effort and trouble to develop a policy which I would assume would have something to do with cycling safety.

Ms Clarke: Part of it's around cycling and other parts of it are around facilitating cycling through promoting cycling and encouraging cycling and providing support to municipalities to develop cycling facilities in their jurisdictions.

Mr Huget: I guess that sort of gets into my question. If we're encouraging the use of cycles and we don't emphasize the safety aspect in terms of bicycle paths, for example, or cycle lanes—I wouldn't want to do one without the other. I think what this committee has dealt with is the safety issue. It is personified in a helmet but it's really a safety issue, and there are other concerns that should be brought to the attention of the government in terms of implementing those policies, as they apply to safety, that I think would be well served if we made that recommendation to the House as well.

The Chair: Your thoroughness in addressing that, Mr Huget, is commendable. In view of the fact that cyclists are oftentimes victims in that Bill 164 takes away their right to be compensated for economic loss, I trust you would want to throw in a resounding condemnation of the government's no-fault insurance policy?

Mr Klopp: No.

Mr Huget: No comment, but I haven't heard from Dianne. I'd like to hear from Dianne, first of all, on the issue of whether we should be making a recommendation that some government body somewhere deal with the manufacturing issue—for example, that a bike sold in the province should have a light and a horn on it as a standard.

The other issue is about the cycling policy, whether we should make a statement from this committee on the safety aspects of that policy, make a strong statement and a strong recommendation that the safety aspect of the cycling policy be given some priority and some emphasis.

Mrs Cunningham: First of all—Mr Hope has left—I want the committee to remember that we did discuss the issue of selling the bicycle at the same time as the helmet. Remember when we had the manufacturers respond to that? They said that was something they would not recommend because it takes a long time to assemble safely a bicycle by the people who are selling. What do you call the people in the stores? Salespersons.

Mr Huget: Retailers.

Mrs Cunningham: Retailers, that's right. And maybe they won't have the helmet there; they may have to wait or go

to a different store, and what we wanted to do was give people choice. So on that issue I think we all agreed to drop that idea, but I still think, as part of not only supporting what Mr Huget said with regard to the Ministry of Transportation's report on safe cycling—I have to say I was thrilled at the timing of it, because no way are we pretending that we're going to be as helpful as we could be without supporting that. I mean, the roads and the pathways and the incentives to municipalities to move into safe cycling lanes are extremely important, just as important as this piece of legislation, and the fact that the minister made that statement at the same time we were looking at this I think showed a sense of cooperation and responsibility. This is part of an overall package. This bill, I feel, is part of an overall package. This is legislation. The other is direction.

I think we should put in our report that we support it, and if there are ways we can be asked to encourage it along, I know some of us have been talking to the private sector around resources to help us in our public education.

At this time I think it's timely to note that there were even further recommendations in this report, because Mr Hughes, the acting director of safety planning in the policy branch of the Ministry of Transportation, wrote many letters to, for instance, the police, to Mr Hutton, the superintendent and director of the traffic and marine branch. Then we had somebody else responding again. I think it was to Mr Hughes from the manager of public education. This is all in the Ministry of Transportation again. Then we had a Superintendent Hutton—I guess that's the other one—with regard to the Ontario Provincial Police. There was a lot of work that went into this.

I was interested to know Superintendent Hutton said, "No real objection to October 1, 1994, but why not September 1, 1994, to comply with the start of the school year." We had thought about that and we thought, well, the school doesn't always start on the first, and maybe it would be important as part of a public education to give them those few extra weeks to say, "This is the year," and that's why we did pick October 1, because we thought that would be a very important part of our public education program.

I'm just saying that I certainly agree and we should as part of our report give the members of the Legislative Assembly as much information as we can, give the ministry encouragement and, I would even say, add to the appendix the pamphlet called *You and Your Bicycle* from the Metropolitan Toronto Police Force, which signifies all the different fines. That's non-partisan. I don't mean non-partisan, but it's without any conflict, because that's from the police force. But I think it would be more difficult to put maybe some of the helmet stuff in.

So yes, I'm in support, and I just appreciate the thoroughness with which my colleagues on this committee have dealt with this report and all of the hearings to this date.

The Chair: Thank you. My impression is that that resolves these matters, at least so far as we can deal with them today.

Mrs Cunningham: Perhaps we should call a vote on the amendments, subject to, or shall we leave it?

Mr Huget: Wednesday.

Mrs Cunningham: That's fine by me.

The Chair: The consensus in the committee is that the anticipated amendments, as articulated by Ms Cunningham and others, be referred to counsel to be drafted such that they can be moved and specifically debated, if necessary, on Wednesday. Is that my understanding? Thank you.

We then are adjourned, subject to any other matters that have to be raised, to Wednesday at 3:30 or after routine proceedings to deal firstly with the 125 designation of Mr Jordan. When those witnesses have been dealt with, we'll move on, if there's time, to Ms Cunningham's matter. Thank you, people.

The committee adjourned at 1700.

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STANDING COMMITTEE ON RESOURCES DEVELOPMENT

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***Vice-Chair / Vice-Président:** Huget, Bob (Sarnia ND)

Conway, Sean G. (Renfrew North/-Nord L)

***Dadamo, George** (Windsor-Sandwich ND)

Jordan, Leo (Lanark-Renfrew PC)

***Klopp, Paul** (Huron ND)

***McGuinty, Dalton** (Ottawa South/-Sud L)

Murdock, Sharon (Sudbury ND)

Offer, Steven (Mississauga North/-Nord L)

Turnbull, David (York Mills PC)

Waters, Daniel (Muskoka-Georgian Bay ND)

***Wood, Len** (Cochrane North/-Nord ND)

***In attendance / présents:**

Substitutions present / Membres remplaçants présents:

Cunningham, Dianne (London North/-Nord PC) for Mr Turnbull

Hope, Randy R. (Chatham-Kent ND) for Mr Waters

Ward, Brad (Brantford ND) for Ms Murdock

Clerk / Greffière: Manikel, Tannis

Staff / Personnel:

Anderson, Anne, research officer, Legislative Research Service

Filion, Sibylle, legislative counsel



Legislative Assembly of Ontario

Second session, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 2 December 1992

Standing committee on resources development

Highway Traffic
Amendment Act, 1992

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Journal des débats (Hansard)

Mercredi 2 décembre 1992

Comité permanent du développement des ressources

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Wednesday 2 December 1992

The committee met at 1554 in committee room 1.

HIGHWAY TRAFFIC AMENDMENT ACT, 1992 LOI DE 1992 MODIFIANT LE CODE DE LA ROUTE

Consideration of Bill 124, An Act to amend the Highway Traffic Act / Loi portant modification du Code de la route.

The Chair (Mr Peter Kormos): It's 3:54 pm and we're ready to proceed. People from the Ministry of Transportation are here with responses to the questions put to them when we met on Monday. Would you please come forward, have a seat, tell us your names and answer the questions. Please tell us who you are.

Ms Heather Clarke: I'm Heather Clarke. I'm a safety policy officer at the Ministry of Transportation.

Ms Nina Chyz: I'm Nina Chyz. I'm legislative counsel with the Ministry of Transportation.

The Chair: Thanks for coming today.

Ms Clarke: Do you want us to start going through the questions that were raised last time?

The Chair: Please.

Ms Clarke: I think the first one that was raised on Monday was regarding who should be covered, and someone raised the issue of what does "knowingly" mean, regarding the responsibility of the parent, guardian or custodian in ensuring a child under 16 wears a helmet.

Ms Chyz: If I may answer that question, the word "knowingly" has been inserted because it was felt to be unreasonable to create an absolute liability on the parents. There should be a defence if they've taken all precautions: If they have bought helmets and they have instructed the children to wear the helmets, they should not be held responsible in those circumstances.

I think in cases where, for instance, an incident occurs and there is an investigation by the police and it's discovered that no helmet was provided, the parents were really careless or negligent in that respect, that's where the charges would likely lie and there wouldn't be a defence.

The Chair: Thank you. Is there any comment or further inquiry from any members of the committee on that very specific issue? Yes, sir.

Mr Bob Huget (Sarnia): Just very briefly, if I understand you then correctly, in other words, what you're saying in laymen's terms is if a parent purchases a helmet for a child and a child heads out the door and down the sidewalk with the helmet on, the parent's responsibility kind of ends there? I mean, the parent can't be held accountable for what the child may do out of the parent's sight or supervision?

Ms Chyz: Because, you know, it may be without their reach and not possible for the parents to do anything. They've done everything that they could within their means.

Mr Huget: Thank you, Mr Chairman.

The Chair: Thank you kindly. Go ahead.

Ms Clarke: I think it was also raised, on the same issue, whether that section should be done by legislation or regulation, and I said I would let our legal people respond to that.

Ms Chyz: Again, if I may answer that question, it seems to me that most offence sections should properly be in the legislation. The public more readily has access to the statutes than the regulation. It's something that's hidden, difficult to find. So the recommendation I would make is that it be in the legislation.

The Chair: Thank you. Any comment on that? Thank you kindly. Go ahead, please.

Ms Clarke: The next question was, I think Mr Hope raised it, regarding the sliding differential and what is the difference between the soft-shell helmet and the hard-shell helmet. Apparently, there has been some controversy that the soft-shell helmet grabs the road surface on impact and creates a twisting motion which can contribute to neck injury or further trauma.

There have been tests done in Washington by the bicycle helmet institute and those revealed no appreciable difference between the soft-shell and the hard-shell. Other research found in consumer reports in the US showed that the thicker-foam 1989 soft-shells tested gave better impact protection than the hard-shells. Research published in 1991 on the thin-shell helmets shows that they seem to combine the best of both the hard- and soft-shells and are probably the best helmets on the market today. I think probably most of those issues were addressed when the technical people came in previously.

The Chair: Thank you. Comments or further inquiries? Thank you, people. Please, the next one.

Ms Clarke: There were a few questions around the issue of enforcement strategies and, being with the Ministry of Transportation, we felt it would be more appropriately addressed by the Ministry of the Solicitor General. So we asked Mrs Dias, legal counsel with the Solicitor General, down to respond to that issue.

The Chair: Please come forward. Have a seat. Tell us your whole name, please.

Mrs Celine Dias: My name is Celine Dias. I am with the legal branch of the Ministry of the Solicitor General.

Ms Clarke: I think one of the questions was whether the \$90 fine was too much and whether another fine could be incorporated in the legislation.

Mrs Dias: I am not in a position to comment on the quantum of the fine, but I think the issue was more whether the discretion of the police should be embodied in the legislation. Traditionally, police officers have enjoyed discretionary powers in the laying of charges and this discretion finds its roots in the common law.

While they are required to engage in an honest and bona fide manner in the exercise of such discretion, we are not aware of any Ontario statutes that particularly and explicitly provide for such discretion or recognize it. To that extent, we would think it is best left to the common law.

The Chair: You are aware of the letter from the Ontario Provincial Police, Ministry of the Solicitor General, dated June 19, from J.W. Hutton, director and superintendent, traffic and marine branch. Under the heading of enforcement—this is a letter to John C. Hughes, acting director, safety planning and policy branch, from the Ministry of Transportation—Superintendent Hutton writes among other things: "Agree the fine should be \$78.75 but don't look for police officers to be charging very many bicyclists with the penalty being so high."

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Mrs Dias: Unfortunately, I'm not in a position to comment because I'm not here as a ministry representative.

The Chair: Of course not, but I wanted you to be aware that we had that information from Superintendent Hutton. We do appreciate what you said and why you said it.

Ms Clarke: I think those latter comments were on the issue that came up on Monday about the discretion of enforcement officers.

The Chair: Quite right. Mr McGuinty.

Mr Dalton McGuinty (Ottawa South): I just wanted to confirm with legislative counsel what in fact has happened here is that no one who is about to be charged, who has been apprehended and is about to be charged could insist that a police officer exercise discretion. Is that correct?

Mrs Dias: That is correct.

Mr McGuinty: So if the officer chose to do so, for whatever reason, and laid a charge and decided not to go to court but rather make payment out of court, it's \$90?

Mrs Dias: It would be if the general penalty under the Highway Traffic Act applied, and it does apply in the proposal.

Mr McGuinty: All right. Is it possible to provide legislatively for another penalty to apply?

Mrs Dias: The possibility is there. The only thing is for perception again, we're trying to convey that this is a serious matter not to wear a helmet. If you reduce it below the general penalty, the message that goes out to the public, I think, defeats the original purpose. Because you have, for instance, with not having a bell or the lighting provisions and others—if they're all at that level, how can one justify this, which is a serious matter and has societal costs involved with it, and everything else seems like it's secondary?

Mr McGuinty: On the other hand, these bicycle laws, the ones when we're talking about you have to have a bell,

you have to have certain reflectors I gather, and lights riding at night—

Mrs Dias: Equipment.

Mr McGuinty: —yes, and now the helmet, they're not being enforced, and I think that the helmet one will not be enforced because officers are concerned about the size of the fine.

Mrs Dias: I can only assume that in more serious infractions there will be enforcement.

Mr McGuinty: Okay.

The Chair: Yes, ma'am?

Mrs Dianne Cunningham (London North): I guess I want to state what I've said over and over again, and that is that there is a two-year lead time in the implementation of this legislation.

As I said to one of my constituents on Friday, for these people that think we shouldn't be charging people, which is a law and I know that is the end result, the real intention of this legislation is to have a lot of public education around the importance of wearing a bicycle helmet.

I said to him that if he really doesn't think we need legislation to get people wearing helmets and if he doesn't think we need legislation because people will be fine, he's got two years to prove that we've got a great compliance level in the province of Ontario. That's why we're waiting two years. That's going to be my defence of the way that we've moved in this committee, which I think has been particularly responsible.

It will be interesting to note, for all these people who think that they shouldn't wear bicycle helmets, just what the compliance level will be with the law before we even have any authority to fine anybody. I hope that the Ministry of Transportation, as part of the public education, will keep the kinds of facts in cooperation with community groups that do that already, cycling groups like in Ottawa, and we'll just find out how many people perhaps should have been charged. These are the kinds of statistics we're hoping will be kept.

I'm not talking about a major bureaucratic research study. I'm talking about a sensible compilation of facts, and we were told that these are kept now.

The Chair: Yes, sir.

Mr Kimble Sutherland (Oxford): I think too it's important to note that already people are beginning to comply since the announcement in June. I certainly noticed over the summer that far more bicycle helmets are out there. So you're already having the educational impact of the fact that you're going to introduce it.

The Chair: Thank you. Ms Clarke, lead us into the next area, please.

Ms Clarke: Okay, Mr Huget asked me to look into the number of charges for the offence of not having a bell, gong or horn. Actually, when I took a further look at the Highway Traffic Act, I then realized that the bell, gong or horn section applies to motor vehicles, motor-assisted bicycles and tricycles, but the total—bicycles and tricycles—the total number of convictions is 248 convictions. That was for 1991 and there were 1.2 million total convictions

under the Highway Traffic Act, so we may conclude that it's not widely enforced. For improper lights on bicycle or tricycle there were 396 convictions.

Mr Huget: Could I get you to run that by me again: 248 charges under—how many total—

Ms Clarke: Actually they were convictions.

Mr Huget: —convictions out of how many total under the Highway Traffic Act?

Ms Clarke: It's 1.2 million.

Mr Huget: Charges?

Ms Clarke: Convictions.

The Chair: For no bell or gong?

Ms Clarke: Or horn.

Mr Huget: So 248 people in Ontario in 1991 were convicted of not having the proper horn, gong or bell. Is that right? And 396 in the province were convicted of having improper lights or no lights.

Ms Clarke: On their bicycle or tricycle.

Mr Huget: On bicycle or tricycle.

The Chair: That applies to the horn, bell, gong as well—bicycle, tricycle.

Ms Clarke: The horn, bell or gong applies to motor vehicle, motor-assisted bicycle and tricycle, and bicycle. Sorry.

The Chair: There's no way of determining how many of those are non-motor-assisted bicycles?

Ms Clarke: No, unfortunately, when I took a further look at the act, I realized that the bell, gong or horn offence applies to several.

The Chair: But you don't have to be a pollster to figure out that there are ain't very many charges laid against bicyclists for not having a bell or a gong or a horn. Do you?

Ms Clarke: I wouldn't think so.

The Chair: Okay, because I had no trouble, I wouldn't think you would have had to be very smart.

Mr McGuinty: I address this question to all three of you. Do you have any reason to believe that the rate of enforcement for helmets will be greater than that for which it has been relating to bells and the like?

Ms Clarke: It depends, I guess, on how much priority was placed on that safety issue. I don't know if you've been following, but in the last few years the ministry has placed a high priority on seatbelts and we've raised the seatbelt usage rate by yearly campaigns which combine education and enforcement. Education combined with enforcement seem to be the key in really getting your usage rate up.

Mr McGuinty: Mrs Dias, do you know if the police, practically speaking, will have the time to enforce this new law?

Mrs Dias: It is anticipated that initially in the initial phases of the legislation the police will, as they do with all new legislation, issue warnings before they go out and lay charges, but once public awareness and education are in place, I believe the act will be enforced.

Mr McGuinty: Something that I raised the other day, Ms Clarke, and I don't think you made a note of it, unless you have yet to come to it, dealt with—I raised the example of a 15-year-old who had removed his or her helmet once out of sight of his or her parents. Is the child subject to penalty?

Ms Clarke: I think that fits into the question "unknowingly."

Ms Chyz: It is "knowingly" where the parent or guardian is liable.

Mr McGuinty: I'm not talking about the parent now. I'm talking about the child.

Ms Chyz: The child, no. The offence would be on the parent in those circumstances.

Mr McGuinty: So we can never levy a penalty against someone under 16. Is that correct?

Ms Chyz: Right, because they're minors, they're still under supervision and it also, I think, probably alleviates the problem for the police in dealing with minors. I think it's a better idea for them to deal with adults in those circumstances where you have a minor involved.

Ms Clarke: But it's my understanding that someone could be charged with an offence, for example, the lighting, if they were 15 on a bicycle.

Ms Chyz: Yes.

Ms Clarke: So what you're saying is that the helmet law would be different from, say, the bell, gong or horn or lighting.

Ms Chyz: Right. We haven't provided anything similar in the other areas.

Mr McGuinty: Why not? Is that just an oversight? I mean, if I'm 15 and I want to kick up my heels, I can say: "Look, this is great. There's a law in place. They can't enforce it against me. I'll just take the helmet off as soon as I'm around the corner."

Ms Chyz: Right, but I think within the ambits of the bill that Mrs Cunningham has introduced, the other areas were not considered. It's something for future review.

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Mrs Dias: I think also enforcement of all acts is mandatory. It's the discretion in the laying of a charge. There have to be reasonable grounds, but enforcement basically is mandatory for all pieces of legislation.

Mrs Cunningham: So the kid will have to get a paper route. If the parent has to pay, he's got to pay it back.

Mr McGuinty: The parent won't have to pay if the child doesn't deliberately—

Mrs Cunningham: Yes, if the "knowingly" doesn't occur.

Mr Sutherland: Can I just ask, what happens now with other offences outside of this—oh, sorry.

The Chair: No, you can.

Mr Sutherland: I just want to know what happens with other offences outside of this. Presumably there are children under 16 who commit acts of vandalism, there are damages, the courts sometimes award—

The Chair: Vandalism, shootings, break and enters.

Mr Sutherland: —but they sometimes issue repayment of the damage.

Mrs Cunningham: It's all different now.

Mr Sutherland: It's all different?

Ms Chyz: Excuse me, I'd like to correct myself. The question was can we ever go after the 14- and 15-year-old. I look at the legislation being proposed and what is being proposed is that you could lay charges against the 14- or 15-year-old, but you could also, in circumstances where he says, "I wasn't given money. My parents haven't provided me," you also have the option to charge the parent.

The Chair: Mr Sutherland asks about, just in general, people under 16, be it for criminal offences or for other federal offences or for provincial offences. Can you tell us what the status of people under 16 is with respect to other provincial or federal offences?

Mr Sutherland: If someone commits an act of vandalism and there are damages, the court says you must repay those damages. Who's liable in that case? Is it the 14-year-old or is it the parents of the 14-year-old who pay for those damages?

Ms Chyz: This is between 12 and 16 you're asking? Under 12, I think the parents are responsible. Between 12 and 16, again I think it depends on the facts, whether you know the parents somehow have complied with it or not or the teenager could bear the consequence.

Mr Sutherland: Thank you.

The Chair: Yes, sir.

Mr Huget: The numbers that you provided on the—for example, the no-proper-light convictions of 396. I think that very clearly points to the fact that enforcement is a problem in terms of trying to deal with this issue. I would suspect that there were more than 396 people in the province of Ontario that didn't have a light on their bike or rode their bike in conditions and didn't have a proper horn or light.

My problem is that I don't think the helmet legislation will be enforced any differently than this legislation. I think it's partly because the police departments in this province have other things to do that they may view as more important in trying to deal with what they have to deal with on a day-to-day basis.

I think you're going to see the same kind of thing with the helmet issue, that it's not going to be enforced. It's going to be very difficult to enforce, which puts more emphasis, to me, on all the other things that go along with this helmet issue. That has in part been my trouble with this bill from the beginning. It just deals with a certain aspect of cycling, but I don't believe it can be enforced. I think those numbers reinforce to me that the other issues on cycling safety and other actions and other initiatives become more and more and more important, because I don't think you can achieve anything, given those numbers.

Ms Chyz: Even if the enforcement isn't at the rate that you would like it to be, I think that the message that goes to the public is that there is a legal requirement. Most responsible people will comply and they are already com-

plying. As you see people now on the roads, they are wearing bicycle helmets. There is a small group that are difficult, and I presume the police may be able to deal with them.

Mr Huget: There needs to be, as far as I'm concerned, a heck of a lot more done in terms of public education and awareness, because you're right, there are people on the road today wearing helmets. They go by me at night with their helmets on and no light. There's a problem here.

To think that people are just going to automatically comply, I think, is a giant leap of faith, to tell you the truth. There is a lot more that needs to be done in terms of the public awareness issue. It's not happening. If you think it's happening, it's not. I would find very little consequence in having somebody go by at night on a bicycle with a helmet on and say: "Isn't that great. They're wearing their bicycle helmet with no light."

Or, if we continue to put bicycles in heavily travelled traffic patterns in the city, where they compete with trucks and buses and cars, I don't know how successful any of this is going to be. I understand that the bike helmet is going to help prevent head injury, but I'm interested in helping to prevent accidents.

Ms Chyz: Again, perhaps by example, we take the seatbelt assemblies. I think there was a lot of opposition in the beginning, but most people wear them now. I think it's just a very small group that are still defying the law. With a bicycle helmet, it's something visible that you can't hide, whereas some other equipment that you're required to have, you can camouflage.

Mr Huget: I don't see how easy it would be to camouflage a light, but I guess I'll let it go.

Mrs Cunningham: I just think that Mr Huget has an important point and we did say that we wanted to do a report, along with the legislation, to the members of the assembly. I think that's extremely important that we do that.

As for the point that he has raised with regard to public education, I can just say a couple of things that I've always said. First of all, I was absolutely commendable towards the minister when he introduced his road safety policy in the spring, because this is part of an overall safety policy on behalf of the government.

I was pleased to see that because, of course, we all know that the most important part of this legislation—not this legislation, but of this policy, this safe road policy for cyclists—is that we have safe roads, that we have bicycle lanes, that we have bicycle paths. That just has to be the most important thing, and that we educate people around the usage.

I should tell you, as I've travelled a little bit about the province, I'm absolutely thrilled at the way the individual municipalities have taken it upon themselves to put out maps of their municipalities showing safe bike lanes and bike paths and the rules of the road and they've included the importance of wearing a helmet.

We're seeing a lot of response to this, but I do think we should put that kind of report together, even if it is a matter of doing the one that we have in front of us in another way, because I think it's important, both to our colleagues and

to the public of Ontario, to let them know that this has not been done lightly. It's not proposed in any way that this is going to be the solution to the problem of accident prevention or head injuries, that it can't be dealt with alone.

I certainly want to get those remarks on the record, Mr Chairman, and I would hope that what we've heard today from the staff can only go to support what we're trying to do here. I think it's extremely refreshing, because when we first started to talk about this a couple of years ago, I can tell you, the response in the room wasn't the same as what we're getting now. I think we've all been educated in the process. We've spent a lot of time at it and it's now our responsibility to educate the people that we represent.

Ms Clarke: I just want to reiterate that there are some issues in the report that the ministry coordinated that haven't yet been resolved. I think two of the most important issues are the issue of the public education. No one has come forth with the funding yet and the ministry has said that it doesn't have funding to go forward.

Another issue is the CSA standard for children under age 5. I was in touch with the chairman of the technical committee at CSA today and he was saying that he thinks it would cost between \$25,000 and \$30,000, but the pins are in place to begin developing this standard. If the legislation were to go forward with a set date and these two issues weren't resolved, I think there could be problems.

Mr McGuinty: Ms Clarke, are you telling us then that there exists the very real possibility that this bill could become law, a date could be set by which the enforcement would commence, yet a thorough education program could not have been funded and put in place?

Ms Clarke: I guess there's always the possibility of that because so far, based on the report provided from the ministries, there wasn't clear direction on who would take the lead and where the funding would come from. In meetings of this committee before, I think it was raised that it wouldn't take small amounts of money. To really educate every corner of the province would take a significant amount of funds. So I think that definitely should be very clearly stated in the report back to the Legislature.

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The Chair: Mr Edgar.

Mr David Edgar: My name's David Edgar and I'm assistant to the minister in the minister's office.

The Chair: Of Transportation.

Mr Edgar: Yes. When the minister made his announcement that the government supported this project in principle, along with that he indicated that a considerable educational campaign is needed to bring up public awareness, and I think that statement indicates that there will be some funding available for educational initiatives. There wasn't a pricetag contained in the report, but I think the clear indication is that the government's supporting this policy and funding will be forthcoming for the initiative, but I'm not sure exactly how much or who the partners will be. That's to be looked into in the near future.

The Chair: You will note, and my thanks to Ms Anderson for pointing this out, that the Interministerial

Response to the Report of the Standing Committee on Resources Development coordinated by the safety planning and policy branch of the Ministry of Transportation, dated October 14, 1992, at page 17, speaking to the need for an education campaign, states that:

"A campaign of this nature would require \$1.5 million in startup costs and approximately \$.5 million for each subsequent year. The ministries of Transportation, Health, Education, Solicitor General and Tourism and Recreation should be responsible for the campaigns on an ongoing basis."

I just mention that to try to be of assistance. Mr McGuinty.

Mr McGuinty: I have a real concern and I'm sure we're all realists here. These are difficult economic times and God knows how long they're going to last, but we've had to put something in motion here which, to be truly effective, is dependent upon a good, properly funded educational program, and there's no assurance that we're going to have that.

Mrs Cunningham: Could I just speak to this, Mr Chairman? This is something that we knew from the very beginning and, actually, the number is lower than what I thought it might be. When we first began our work here, we had numbers of private sector people who had already done a lot of work. All you have to do is take a look at some of the retail brochures that are sent out and the flyers on the weekends for some of the stores where bicycle helmets are sold. They've done things without us ever asking them, and certainly before I ever got involved.

We've had numbers of letters saying that they would be prepared to focus on this legislation because they think it is important. So many people, more than ever before I think, are making their community involvement part of their responsibilities as people who are involved in the retail sector in society.

You should also know that drug companies have already put a lot of money into prevention programs around injury, and we can thank Sandoz for numbers of pamphlets that were certainly out and about in the millions across this country before we ever got involved in this.

You should also know that some of the medical associations—right from the paediatricians to the neurologists and neurosurgeons and the Ontario Medical Association, and now the Canadian Medical Association—can and should be approached with regard to their ongoing involvement and their increased involvement.

There are so many opportunities for all of us to work together in this regard, and I've certainly had this discussion with the minister. The Minister of Health is extremely interested in this legislation. If you remember, that ministry advises that we implement this bill within the year.

We've come so far. I think that the last thing I'd like to say is, and it's certainly on my mind, if we're looking at the 1st of October, 1994, there is time to take a look at how this is moving along. That's one of the reasons that we delayed the implementation date and I hope it's with some sense of responsibility.

The two things that I am going to be looking for, quite frankly, maybe at some risk, is how well the public education programs are going. Everybody knows that the Ministry of Education is going to be very responsible for that because that's where these things are taught, and it all starts in the early years with the support of home and school associations that are already on board. They've written to us. I don't know what more we can do to reassure everybody.

But the other one I think is certainly at risk, on all of our parts, because I think we really want this to happen, is to take a look at the compliance. My view is that there will be some improvement. My other view is that it won't be good enough. But for those people who don't like legislation, here's a real challenge for them.

That to you, Mr McGuinty, is a true challenge, because there are a couple of communities that have certainly gone on record as not being in support of the legislation and yours is one of them. Yet it has one of the highest compliances, if not the highest in the province of Ontario. But 33% isn't good enough. Let's see if they can come up with 90% and maybe we'll come back with the legislation and make an exception for the city of Ottawa or something.

But whatever you want, I can only say that we've come so far and the intent of the minister—I mean the assistant came up to tell you—both ministers, in fact all three ministers, Education, Health and Transportation, have spoken to me with regard to their responsibilities for public education. What more can I say?

The Chair: Ms Clarke.

Ms Clarke: I've finished.

The Chair: What about the issue of where is it that one would have to be riding this bicycle to be subject to the law?

Ms Chyz: It's tied in with the definition of highway within the Highway Traffic Act, which is the fence-to-fence distance.

The Chair: Okay, but I think the committee people need, let's say, some examples to understand that fully.

Ms Chyz: Examples would be the municipal roads that you may be riding, Queen Street in Toronto, King Street, provincial highways like the 401 series. Well, you're not supposed to be on a bicycle there. That was a bad example, but any of the Queen's highways.

Mr Len Wood (Cochrane North): County roads.

Ms Chyz: Right.

The Chair: You're saying no private property.

Ms Chyz: We're not regulating off-highway riding. It's on-highway as defined within the Highway Traffic Act.

The Chair: And you're saying no public property as long as it isn't a highway either.

Ms Chyz: Right.

The Chair: So you're saying that if somebody were in a park on a bicycle path, that wouldn't fit into the current definition of a Highway Traffic Act highway. Is that what you're saying?

Ms Chyz: No, that doesn't fit into the definition.

The Chair: Similarly, bicyclists who are engaged in sporting events again wouldn't be covered by this legislation, short of on-road bicycle racing, but these BMX events and that sort of thing wouldn't be subject to this legislation in view of the fact that they're almost inevitably on private or public property, neither of which are highways pursuant to the Highway Traffic Act.

Ms Chyz: Right, if it's off-highway or if the highway is closed, then they would not be bound by this.

The Chair: Thank you. Mr Ward.

Mr Brad Ward (Brantford): But if the race occurred on a portion of the highway they would have to, theoretically, wear their helmets.

Ms Chyz: Again, if the highway was closed off to other users, then there is case law saying it's no longer a highway. It's just excluded.

Mr Ward: If it's a special event and the municipality or whatever agrees to close the road for that event.

Ms Chyz: Right, it's no longer a highway.

Mr Ward: They'd be nuts not to wear a helmet anyway.

Mr Sutherland: Most of them require them. You can't enter without it.

Mr McGuinty: Sidewalks?

Ms Chyz: In municipalities, I believe that the bylaws can either prohibit or, under the Municipal Act, they can regulate whether the bicycle can be on or not.

Mr McGuinty: Okay, I'm not asking whether it can be on, though. Sidewalk doesn't come within the definition of a highway.

Ms Chyz: On provincial highways there are no sidewalks so it doesn't impact those. Again it would depend on the designation of the road or highway.

The Chair: What Mr McGuinty is asking is that if people have their young child out on a bicycle and they're holding on to the back seat teaching that child how to ride the bike, inevitably on the sidewalk, whether or not that child and/or the parental liability that might flow from an amendment incorporating liability for a parent with this quasi-criminal, whether that would apply to that child being on a sidewalk.

Ms Chyz: If it's within the highway designation, then yes.

The Chair: But Mr McGuinty is asking whether a sidewalk would be within a highway designation in most circumstances.

Ms Chyz: I think in most situations it might be but there may be situations that the designation doesn't include.

Mrs Cunningham: Municipal politicians can respond to this. They know.

The Chair: Any other comments or questions to put to these people?

1630

Mr McGuinty: Bicycle paths, I assume then, wouldn't fall within the definition of highway?

Mrs Cunningham: No, but there's a perfect example where municipalities can or may come forward and say, "You'll wear a bicycle helmet." Right now you don't have to make a signal, you don't have to have a light, you don't have to do any of those things unless the municipality says that the Highway Traffic Act will apply. I know in the city of London it does, so helmets will be necessary, just like everything else.

The Chair: Thank you. I want to thank you, Ms Clarke, Ms Chyz and Mrs Dias, for helping us with the questions put to you. You've been gracious and charitable with your time. I'm hoping that you might be able to stay as a number of amendments are going to be put, and there may well be discussion and questions that you can respond to about those amendments. We thank you very much. We appreciate your being there, as well as Mr Edgar who's displayed an incredible and undying interest in this legislation.

Mr Huget has a motion. He moves that section 1 of the bill be struck out and the following substituted:

"1. Subsection 104(3) of the Act is repealed and the following substituted:

"Bicyclists to wear helmet

"(2.1) No person shall ride on or operate a bicycle on a highway unless the person is wearing a bicycle helmet that complies with the regulations and the chin strap of the helmet is securely fastened under the chin.

"Duty of parent or guardian

"(2.2) No parent or guardian of a person under sixteen years of age shall authorize or knowingly permit that person to ride on or operate a bicycle on a highway unless the person is wearing a bicycle helmet as required by subsection (2.1).

"Regulations

"(3) The Lieutenant Governor in Council may make regulations,

"(a) prescribing standards and specifications for helmets referred to in subsections (1), (2) and (2.1);

"(b) providing for and requiring the identification and marking of the helmets;

"(c) exempting any person or class of persons from the requirements of this section and prescribing conditions for exemptions."

Do you want to speak to that amendment? First, I should indicate that it requires unanimous consent, so unanimous consent? Thank you. Mr Huget, do you want to speak to that?

Mr Huget: No, I think it pretty well speaks for itself. We discussed it in detail on Monday. I have no further comment so if you want to—

The Chair: Do you have the French version?

Mr Huget: If someone else wants to comment, they can.

The Chair: Ms Cunningham.

Mrs Cunningham: I want to comment on the Chairman's ability to read fast.

The Chair: I know it's surprising to people.

Mrs Cunningham: It's shocking. At any rate, no, I don't have anything to say.

The Chair: Thank you, Ms Cunningham.

Mr Sutherland: Nothing about the Chair should shock you.

The Chair: And I try so hard. Mr McGuinty.

Mr McGuinty: I just wanted to confirm the, you know, during the summer months the Minister of Transportation announced that he was going to make bicycle helmets mandatory. I just wanted to confirm that this is the legislation. There is no other legislation intended and this is supported by the government. Is that correct?

Ms Chyz: To my knowledge, I'm not aware of any other legislation that is being done on this matter. This is the legislation that is being supported.

Mr McGuinty: Maybe Mr Edgar can add something to that.

Mr Edgar: The minister clearly indicated his support for the bill and the government's support for the bill. It has to be called for third reading and passed and that's at the discretion of the House leaders.

Mr McGuinty: I might ask this as well at this time. Is there any time frame for passing this third reading?

Ms Chyz: There is a motion, I believe, for commencement. Oh, I'm sorry, I'm off.

Mr Edgar: My understanding is that after it's through this committee it's sent back to the Legislature, the bill with the report, and it's at the discretion of the House leaders to call the bill for third reading as any other piece of legislation would be at this stage.

The Chair: I don't think Mr Edgar can—I mean, he can do his best to answer that and he's obviously being candid, but really that's not something he has control over.

Any further discussion regarding Mr Huget's amendment? All those in favour of the motion amending the bill as indicated, please indicate. Opposed? Motion carries amending the bill.

Now I'll put to you section 1 of the bill, as amended. All those in favour of section 1 of the bill as amended, please indicate. Opposed? Section 1 of the bill passes.

We now have an amendment to section 2. Mr Huget moves that section 2 of the bill be struck out and the following substituted:

"2. This act comes into force on the 1st day of October, 1994."

Any discussion?

Mr Huget: No, Mr Chairman.

The Chair: Ms Cunningham?

Mrs Cunningham: No, Mr Chairman.

Mr McGuinty: I think the comments I made earlier with respect to the lack of assurance funding and that a proper program would be implemented are not there and cannot reasonably include it.

The Chair: All those in favour of Mr Huget's motion amending section 2 of the bill, please indicate. Opposed? Mr Huget's motion amending section 2 of the bill carries.

Does section 2 of the bill, as amended, carry? All in favour indicate, please. Opposed? Section 2 of the bill, as amended, carries.

Section 3 of the bill. Any discussion? All those in favour of section 3 of the bill, please indicate. That is to say, does it carry? All those opposed? Section 3 of the bill carries.

Title of the bill. Shall the title of the bill carry? All those in favour, please indicate. Opposed? Shall the bill carry, as amended. All those in favour—I'm sorry?

Mr Ward: Can we have a recorded vote?

The Chair: Of course you can. It's your right. Who would want to discourage people exercising their rights here at Queen's Park?

Mr Ward: Exactly, Mr Chairman.

Mr Huget: Mr Chairman, these late-night sittings, I don't know what they do to people.

The Chair: All those in favour of Bill 124, as amended, carrying, please indicate. Keep your hand raised until your name is called.

Ayes

Cunningham, Huget, Klopp, Sutherland, Ward (Brantford), Wood.

The Chair: All those opposed?

Nays

McGuinty.

The Chair: The bill carries. Shall I report the bill to the Legislature? All in favour, please indicate. Opposed? Thank you. I understand that the clerk will make arrangements for the bill to be reported to the Legislature at the earliest opportunity. Yes, sir?

Mr Huget: On a point?

The Chair: Sure.

Mr Huget: I believe in our discussion on Monday there was some agreement by members on the committee that we should not only report the bill, but also perhaps make a recommendation or two from this committee around the whole cycle safety study and a number of other issues. Could I get clarification of the process to do that?

The Chair: The capacity of the committee to do that conjointly with the presentation of the bill could be argued. It remains, however, that the committee can do anything it wants certainly by unanimous consent and in most instances by majority vote. The committee heard an incredible amount of input over the course of many days of inquiry as a result of Bill 124 being referred to the committee. You're indicating that a whole lot of that input reflects not only the content of Bill 124, but also would be valuable content matter of a report.

I'm indicating to you that, pursuant to standing order 108, the committee is "authorized to study and report on all matters relating to the mandate, management, organization or operation of the ministries and offices which are assigned to them from time to time, as well as the agencies, boards or commissions reporting to such ministries

and offices." Obviously the Ministry of Transportation and the relevance of this matter to the ministry is obvious.

Is it the pleasure of the committee that the committee prepare a report to be reported to the House as a result of its lengthy and substantial hearings into this matter? Do you want to speak to that?

1640

Mr Huget: Yes, I would. I think a lot of the input we got on this bill was extremely important and it shouldn't be disposed of and it should be brought to the attention of the full House. The second point is this interministerial response. Could that form part of that report as well?

The Chair: Sure, anything you want can be a part of that report.

Mr Huget: Third, the safe cycling document, could that be incorporated into the report?

The Chair: Yes, sir. You can do anything you want.

Mr Huget: My reason for asking that is that I think there are a whole bunch of issues here that are unresolved with the passage of Bill 124, in the event that it does pass, and that is, the whole safe cycling policies and programs that will have to developed in this province.

If we're encouraging the use of bicycles, then we've got to address the other issues and the other issues, I think, are much broader than helmets, lights and horns. I mean there is a whole safety education and awareness issue, there is a whole municipal infrastructure issue that has to be dealt with, and these are very serious issues to me. I think there is no point us trying to reinvent the wheel here, as it were, because a lot of what came out during the course of this bill, if it's compiled into a report and combined with the interministerial response and the safe cycling report, will deal with all the issues. But I think it's just extremely important that we raise the awareness of the House to all those other issues that extend far beyond the use of a helmet.

Mrs Cunningham: I think that's extremely important. I wouldn't mind having a paragraph in there with regard to the number of times that we did meet and over what period of time, number of witnesses, because we did put a lot of time in over a period of time. There were many opportunities for the public to appear and many of us—you'll never be able to document the numbers of letters we've all individually received or the numbers of meetings that we've attended to clarify or get good advice. I'm not talking about myself. I'm talking about many members of the Legislative Assembly.

I think that if we can talk about the work this committee did over a period of time, it would be extremely important for the public to know that this wasn't dealt with lightly. Also, I think the committee should formally be thanking certainly the representatives from the ministries of Transportation, Solicitor General, Tourism and Recreation, Citizenship, Industry, Trade and Technology, Education, Community and Social Services and Health, because it hasn't been the work of just the one ministry, although they've taken the lead and they've done it extremely well. We should be thanking not only the citizens who have appeared, but the ministry staff who helped us so much in

our deliberations in some way. I think it's important that we start doing that.

The Chair: Is there unanimous agreement that this committee—

Mr Huget: On a point?

The Chair: Of course.

Mr Huget: I would include the valuable input of the Toronto City Cycling Committee, which I believe was involved as well.

The Chair: Is there unanimous agreement that the committee prepare and present a report? It's unanimous agreement.

Ms Anderson has prepared a draft outline. One of the problems we've got is that we're here until the end of next week. I'm confident we'll have a little bit of time. Notwithstanding Mr Jordan's 125 designation, I am confident we'll have a little bit of time in the committee to deal with the matter of the report. The committee is committed for some 38 minutes on our next meeting date, a week today, only to deal with an outstanding matter of an earlier 125 designation.

Ms Anderson proposes that a draft outline might be as follows: that there be an introduction indicating the purpose of the report; that there be some discussion of Bill 124, its purpose, date of introduction, background; that there be some description of the process, length of hearings, witnesses; addressing the matter of the interministerial report; legislated amendments in Bill 124; other issues: overall approach; where coverage should apply; enforcement; helmets; affordability; education and awareness.

Is that a suitable outline for the committee to consider if it calls upon the legislative research to flesh that out?

Mr Huget: Yes, basically I'm fine with that.

The Chair: Again there's unanimous consent in that regard. Ms Cunningham?

Mrs Cunningham: Does that then mean that we can meet next Monday on this and receive the report? Because most of the information that will have to be inserted is already in this report. It's a matter of making it succinct.

The Chair: Ms Anderson has got a whole lot of material that she's got to go through. That's not giving her much notice but then again, if we have to defer to the 125 designation on Ontario Hydro, that will take priority. You're suggesting then that, at the point at which we adjourn, we adjourn until Monday, asking Ms Anderson to at least try to provide the skeleton of a report for Monday, so that it might then be discussed and put back to her for some further refinement come Wednesday.

Mrs Cunningham: That would be wonderful. Can I just tell you what I'm thinking with regard to a time frame here? The committee can now—Mr Chairman, you can report the bill to the House. That's my understanding. You could do that at any time. Is that correct?

The Chair: Yes, ma'am.

Mrs Cunningham: You could do it tomorrow if you want to. Just stand up during reports of committees and do it.

The Chair: Yes, ma'am.

Mrs Cunningham: Okay. So if in fact the House Leaders decided that they wanted to call this bill some time next week, if that's the wish of the government, and it may be, who knows, this report won't hold us up in that regard. The bill can then be reported, but the purpose of the report is to accompany the bill as far as possible. Is that right? Would that be fair?

The Chair: The report is being done under standing order 108 and that's why we chose that course. It's not dependent upon the bill whatsoever, but it clearly accompanies the bill in terms of reflecting what took place in this committee.

Mrs Cunningham: Okay. I forgot about the separation. Thank you.

Mr Huget: Would it be more helpful if indeed we had the report, even though it was done under a 108 at about the same time the bill was back into the House? I don't want this report to lose its emphasis, because they're very clearly connected.

The Chair: It's anticipated that the bill will be reported far earlier than a report could be simply because of the time necessary to prepare a report. It's entirely possible that Ms Anderson can't complete the report for the committee's approval until we return in March.

Mrs Cunningham: But that's not going to hold up the government if it wants to proceed.

The Chair: Quite right.

Mr Huget: It's not a question of the bill. I want to make it very clear that I do not want this report lost in the shuffle, because it's extremely important with this bill.

The Chair: Thank you, Mrs Cunningham and Mr Huget. Any other matters?

Mrs Cunningham: Only to say, Mr Chairman, that we certainly appreciated your leadership throughout our deliberations.

The Chair: You're welcome, Ms Cunningham. Any time.

Mrs Cunningham: I think you've made people feel very comfortable, although you've set very firm guidelines around the running of meetings.

I would also like to thank my colleagues, some of whom have changed over this long period of time, because I think we have been in this for about a couple of years. Just to say that I've appreciated the interest they've taken and the fact that all of us have learned together. I think it has been a very non-partisan approach to something that's important for the citizens of Ontario. I wish it could happen more often. I really am very appreciative of the way this committee has operated and of the people who have given so graciously and with interest of their time.

The Chair: Everybody thanks you for your kind words, and obviously this committee and all those people who at various times have sat on it are well aware of you being the driving force behind this legislation and undoubtedly providing a lot of the enthusiasm that the committee has acquired over the course of its consideration of

the bill. You are to be congratulated on so successfully moving a private member's bill so far along the process. That is a rare phenomenon.

Mrs Cunningham: Can I say one more thing?

The Chair: Sure.

Mrs Cunningham: I never do this. I never do anything well alone and many of you probably know that we've had a couple of people in the audience from time to time who have guided us. David is one and Andrea Strathdee is another, but we've also had Anne Anderson from the beginning and we've had Tannis and others.

I think all of us forget from time to time to say how appreciative we are, so I wanted to put that on the record because no individual member in this Legislative Assembly could ever get this far without the help of so many people. They really have done so much of the work, much more than myself.

The Chair: Thank you, ma'am.

Mr Huget: Much briefer, and I'd like to thank all the other committee members as well for their participation and the Chair for his usual excellent leadership, if not somewhat unique style, and of course the staff. The staff that is associated with this committee always does one heck of a job.

I'll just say, as we move out of this stage, that we were pleased to participate in Bill 124, but I think from my own part I'll be much happier when we address all the other issues that are associated with safe cycling in spite of the initiatives that will be in place after Bill 124.

The Chair: Thank you, sir. Mr McGuinty.

Mr McGuinty: Well, I thought I'd never have the opportunity. I want to congratulate Dianne, in particular, for the bulldoggedness with which she has pursued this initiative. She has been a fine example of what can happen, I guess, if you really put your mind to something and don't give up. I'm not sure where our caucus is going to stand ultimately on this, Dianne, but notwithstanding the position that we ultimately take, you are to be congratulated for a job well done.

The Chair: The committee has to move on to its next matter of business which is, of course, Mr Jordan's 125 designation. I'm advised by Ms Manikel, the clerk, that there are no witnesses present today. In view of that I will ask her to invite those witnesses in writing to appear before the committee. There being no further business, the committee is adjourned until 3:30 pm or soon thereafter. Thank you, people.

The committee adjourned at 1651.

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Conway, Sean G. (Renfrew North/-Nord L)

Dadamo, George (Windsor-Sandwich ND)

Jordan, Leo (Lanark-Renfrew PC)

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Murdock, Sharon (Sudbury ND)

Offer, Steven (Mississauga North/-Nord L)

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Waters, Daniel (Muskoka-Georgian Bay ND)

***Wood, Len (Cochrane North/-Nord ND)**

***In attendance / présents**

Substitutions present / Membres remplaçants présents:

Cunningham, Dianne (London North/-Nord PC) for Mr Turnbull

Sutherland, Kimble (Oxford ND) for Ms Murdock

Ward, Brad (Brantford ND) for Mr Dadamo

Also taking part / Autres participants et participantes:

Nina Chyz, legislation counsel, Ministry of Transportation

Heather Clarke, safety policy officer, road user safety office, Ministry of Transportation

Celine Dias, legal counsel, Ministry of the Solicitor General

David Edgar, special assistant, legislative, minister's office, Ministry of Transportation

Clerk / Greffière: Manikel, Tannis

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Spakowski, Mark, legislative counsel

Wernham, Chris, legislative counsel



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Deuxième session, 35^e législature

Official Report of Debates (Hansard)

Monday 7 December 1992

Journal des débats (Hansard)

Lundi 7 décembre 1992

Standing committee on resources development

Ontario Hydro president
Highway Traffic
Amendment Act, 1992

Comité permanent du développement des ressources

Le président d'Ontario Hydro
Loi de 1992 modifiant
le Code de la route

Chair: Peter Kormos
Clerk: Tannis Manikel

Président : Peter Kormos
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Monday 7 December 1992

The committee met at 1551 in committee room 1.

ONTARIO HYDRO PRESIDENT

The Chair (Mr Peter Kormos): Thank you, people. We have the 125, formerly 123, designation by Mr Jordan regarding the departure of the president of Ontario Hydro. This is an opportunity for the committee to question those witnesses who have been asked to appear. There aren't any who have accepted the invitation to appear. I have asked the clerk to reinvoke those people, and that matter will be dealt with then, when those people appear.

HIGHWAY TRAFFIC AMENDMENT ACT, 1992 LOI DE 1992 MODIFIANT LE CODE DE LA ROUTE

Consideration of Bill 124, An Act to amend the Highway Traffic Act / Loi portant modification du Code de la route.

The Chair: We've got the report discussion on bicycle helmets. Oftentimes, committees prefer to discuss reports in camera. Is it the wish of this committee that it continue on record? Okay.

Ms Anderson has prepared a draft. The purpose of our discussion today and, if we have time, on Wednesday, is to give Ms Anderson some assistance, because clearly the report isn't going to be completed by her before Thursday, no two ways about it. But if we can give her some instructions and assistance and direction, she'll have some outlines to work with over the course of the winter break.

She's already submitted her draft preliminary, dated December 7, 1992. Any discussion regarding that?

Mrs Dianne Cunningham (London North): As usual, our thanks go to Ms Anderson for doing another thorough job, but there are about eight questions; they're in the italics beginning on page 6. If I'm missing anything, please help me along; I read this very quickly. I'm not sure, Anne, whether you want to make any comment with regard to how you set it up. Maybe you should lead us through the questions. Whichever way you would prefer is fine by me.

Ms Anne Anderson: The way I went through the report was initially to set the context at the beginning, which was mostly descriptive text on what Bill 124 was and some of the things the committee had heard. I don't know whether people have had time to read through the report yet or whether you feel there are some items that I might have left out. You can let me know if there are.

The Chair: Let me interrupt you, Ms Anderson. Has everybody read the report? No? Okay, we'll recess until 4:15. Why even bother, if we don't have a little time just to look through it? If not, we're just dancing in the fog.

The committee recessed at 1554 and resumed at 1618.

The Chair: Come to order. Mr Huget?

Mr Bob Huget (Sarnia): I request that we go back in camera.

The Chair: Thank you, and we shall.

The committee continued in closed session at 1619.

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Hope, Randy R. (Chatham-Kent ND) for Mr Waters

Jamison, Norm (Norfolk ND) for Ms Murdock

Ward, Brad (Brantford ND) for Mr Dadamo

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Wednesday 9 December 1992

Standing committee on resources development

Workers' Compensation Board
report

Committee business

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

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Comité permanent du développement des ressources

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des accidents du travail

Travaux de comité

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Wednesday 9 December 1992

The committee met at 1535 in committee room 1.

WORKERS' COMPENSATION BOARD

Consideration of report of the Workers' Compensation Board.

The Chair (Mr Peter Kormos): It's 3:35 and we're going to commence. Mr Odoardo Di Santo is here along with his colleagues from the Workers' Compensation Board. All three caucuses are represented. Mr Di Santo, will you please be seated. Mr Brian King is with you. We have 38 minutes.

A précis of the task force report has been prepared by Ms Anderson and has been distributed. The Operational Review of Service Performance, the one dated May 18, 1992, has been filed and distributed. As I say, we've got 38 minutes. If you wish to perhaps utilize a brief period of time for some comments, if you want to make some opening comments addressing these issues and your report, the balance of time will be left for questioning and dialogue.

Mr Odoardo Di Santo: Mr Chairman, thank you very much. I am here with Brian King, who is the vice-chair of the Workers' Compensation Board. I'm pleased to report to you. I'll be very brief because I want to leave time for the members to ask questions.

When we appeared before you in May 1991, we were just rookies at our jobs. Of course you asked us a number of very important questions and the committee directed us to undertake an operational review. We did it and we eventually reported to you on May 18, 1992. But at the same time, we realized the complexity of the problems that the Workers' Compensation Board was faced with, and we undertook basically two lines of actions. We decided to act immediately on service delivery because we thought the board should be a service organization that should cater to our clients, who are basically the injured workers and the employers.

The second and most important thing was that we should act immediately on vocational rehabilitation, because vocational rehabilitation, in our estimation, is the crux of the problem at the Workers' Compensation Board. It's an important issue that must be dealt with directly. For that reason, I appointed in December a task force chaired by Maria Minna, and the task force reported in July. As we promised and as you point out in your direction to us, we decided we would act on the task force. In fact, I'm happy to report to you that on November 26, the board of directors approved an action plan that as you've said has been distributed to the members of this committee.

In the action plan, we outlined five major goals that as you can see reflect most of the issues that were raised in this committee and that we dealt with in the operational review, but are treated in a more coherent way and give a sense of direction to the board. When I say the board, I mean the board of directors, the administration and our staff.

Also, I'd like to report to the committee that for the first time, the board of directors has undertaken a very major effort to develop a strategic plan so that we can look at the issues that the board and the workers' compensation system face here in Ontario, and more importantly, the sense of direction of where we are moving, and also ultimately to look at the viability of the system and to see if within the system, we can deal with the issues that are emerging from the changing workplace and from the new occupational decisions that are emerging because of the introduction of new substances, or because of new work habits.

The board of directors has already met several times and we are now at the stage where we have started the real work that will last until the end of June or July, when we will be able to produce a strategic plan that we will with pleasure share with the standing committee.

I don't want to prolong my introduction. As I said, I would like to give an opportunity to the members to ask questions.

The Chair: We have 10 minutes per caucus.

Mr Steven Offer (Mississauga North): I don't know that I'll require the 10 minutes. I've had occasion to read the operational review and I think on page 1, when you speak to three areas, the third you talk about is the dedicated frontline people of the board staff and I think there is no one who would disagree with that.

My question is not on the issue of the staffing, but rather, throughout the Operational Review of Service Performance, and you don't even have to refer to the pages, there are notations made on the revenue aspect of the board. Pages 1, 2, 32, 33, and pages 156, 157 and 158 in areas touch on revenue, and you know as well as all, that the whole issue of revenue and the funding of the WCB is of some real concern to a variety of people.

I would like to know if you can give us an update on the work that's being done by the board in the area of how the unfunded liability is to be addressed. I would like to know the work that is being done on the issue of stress, with respect not only to the issue itself but with respect also to the financial implications. Thirdly, I would like to know of a more recent issue, the building of the new headquarters. There are some issues around that, some of the costs that have been banded about. I think it's dangerous to start to talk about costs, but we all know the areas of cost that have been banded about, and how that's going to be paid for and by whom.

Mr Di Santo: Mr Offer, you are really putting me on the hot spot because in 10 minutes it's very hard to answer all these questions, but I will try to answer as fast as I can in the most comprehensive way possible.

The unfunded liability: When we came to the board, Brian and I, as you know, found that the board had \$10 billion in unfunded liability and also the board had a plan to recover the unfunded liability in 30 years, from the year 1994

to the year 2014. When we came to the board, we realized that was predicated on normal economic cycles. The plan provided that the unfunded liability would increase until the year 1996-97 and then would start to decrease and disappear in the year 2014.

We are faced with the major economic crisis in our economy since the 1930s. We have employers who are really struggling to survive, so we had to deal with two issues: the retiring of the unfunded liability and the survival of our economy. So we decided two things: (1) to consult with the employers in Ontario so that we could devise the rates for the next year and for 1993; and (2) we decided that we should look at the funding strategy of the board. We had a very, very wide consultation with the workers, employers and all the parties who are interested in the Workers' Compensation Board.

At the end of the exercise, we went to our stakeholders and proposed a number of options, which I don't want to mention now, but the options range from keeping full funding to a lower ratio of funding and extending the period of retiring the unfunded liability. We had a very high number of submissions. At the end the board of directors, which I have to remind you is made up of four representatives of the employers and four representatives of the workers, unanimously decided that this is a strategic issue for the board which really impinges on the viability of the system, and therefore should be dealt with within the strategic plan exercise, and that's what we are doing right now.

As far as the rates for 1993 are concerned, we consulted widely with industry and with all the employers, and we came to the conclusion that if we had increased the rates there would be some sectors in our economy that would have been put really in a tough situation. Some employers could not have even survived. I could mention a range of industries that are in a really difficult situation, but I want to give you just the example of the mining industry.

The mining industry is performing in an excellent way in terms of accident prevention, and in fact the accident rate is down to zero. It is performing excellently, especially big companies like Inco and Falconbridge, in terms of rehiring injured workers and modifying work programs, which are very expensive propositions. But at the same time, because of the system we have in Ontario and because of the ceiling that is increasing every year, they find that despite the fact they have an excellent accident record, their rates are going up.

We decided that in 1993, also because we are moving towards, as you know, a different classification of the employers, we would not basically increase the rates. We will increase 3% and decrease 3% for the employers who are moving towards the new classifications, but the total effect will be neutral. There will be just an increase of 0.4% of the rates.

I want to point, to answer your question, to the unfunded liability. It's a real problem for us, but it's a problem that has to be looked at strategically because it won't disappear. We have to put our minds together. The board, the employers and the workers can decide what type of system we want. Perhaps you, the lawmakers, will decide at some point in time that this is not the way to deal with diseases and with accidents, in 1992 as we used to do in 1915, and that we need a different

type of system. But that will be your call, and of course it will also be the call of the stakeholders.

As far as stress is concerned, we had last year, for four months, the vice-chair representing workers and the vice-chair representing employers consulting in Ontario from November until March on workplace stressors and entitlement, which were two issues that we inherited from the previous administration.

We had a variety of submissions. The evidence that was brought before our vice-chair really represented the dilemma that we have and that the board has in dealing with this thorny issue. We had representation from workers affected—jail guards, ambulance service, nurses—and on the other hand industry, because of the costs on industry, and also we had the experience in other jurisdictions, especially in California.

The board of directors has not made any decision on stressors. My thinking is that this is an issue that is very difficult to deal with and requires extreme caution, not only because of the costs involved but also because we are dealing with disabilities that are not as easily definable as the disabilities that we have known until now. Therefore, I think the board will approach this issue with extreme caution.

I'm sorry that I'm taking some time, Steven, but I'm trying to give you an answer that is as comprehensive as possible.

1550

Now let's go very, very fast to the last issue; that is, the new facilities. The Workers' Compensation Board now is using for its headquarters the building at 2 Bloor Street East which was occupied in the early 1970s; 1972 actually. After 20 years, that building has been recognized as not responding to the needs of an organization like ours for many reasons. One reason is that in 1972 computers were not used, for instance. Also, the staff in 1972 was much smaller. Today we have all the mainframe of our computers in another building because the temperature in the building doesn't allow us to keep the computers without being damaged.

In 1989 the board of directors decided that perhaps the board should look at another location or a different solution and on July 20, 1990, the board of directors made the decision to look at another location. It wasn't done lightly. In fact, the board looked at many, many possibilities and in the end came to the conclusion that it should issue a public tender, look for possible developers and look for a location that was downtown. That was based also on extensive research, on consultants, on demographics and the number of people who use the board's facilities. In March 1991 the board of directors approved this new location.

What is the deal here? I'll explain very, very fast. Is that okay?

The Chair: Please go ahead, sir.

Mr Di Santo: I am trying to breathe at the same time.

The Chair: You've got all the time in the world as long as you use it before the 38 minutes are over.

Mr Di Santo: The deal basically is very simple. The land where the new facility will be built belongs to the CBC. Cadillac Fairview, with the board and the Toronto Dominion Bank, set up the new company, a partnership in which the board is a 70% partner and the other two partners have 12.5%

each. Cadillac Fairview is the builder, the developer, so Cadillac Fairview has the responsibility to make arrangements for the financing of the deal. The board will be the tenant for 70% of the building and the owner of 75% of the building.

Therefore, we will participate in the expansions that are necessary to adapt the building to our necessities, which are specific, because every year we see 100,000 injured workers in the building. We need special accommodation for disabled persons and a special number of elevators. For instance, this seems to be a trivial issue, but the elevator capacity at the present building has an incredible impact on productivity because we waste so much time waiting for the elevators. If you multiply 3,000 staff by 10 minutes each, you realize that the costs to the board are incredible and the productivity therefore decreases accordingly.

What are the obligations of the board? That's what you want to know basically. We are in this agreement, which is a binding agreement, and I must tell you that when we came to the board, Brian and I, we wanted to satisfy ourselves that it was a good deal for the board. So we asked three independent consultants. One of them was LePage. I don't remember the names of the other two. I don't know if Brian remembers them. We asked them the questions that you have been asking: Is this a good deal for the board? Now that we have such a large space vacant in downtown Toronto, is this a good time to build? We wanted to satisfy ourselves that it was really a good deal.

The three consultants unanimously told us that it was a good deal for the board, because in 20 years' time we are going to be the owners of a facility that will be worth hundreds of millions of dollars. We don't know at this moment, but even at this moment of low market, a building of that nature is worth millions of dollars. Our cost in terms of leasing will be comparable to the ongoing rates; in fact it will be in the low \$20s per square foot.

We are not taking money from the investment fund, which has been one of the misunderstandings, that we are investing our money. We are not investing money from the investment fund. The arrangement will be made by Cadillac Fairview. We have to concur proportionately, according to our needs, because we have special needs in terms of partitions, of the layout of the offices etc.

That's basically the deal. It's a very simple deal. It's a binding deal, and we are going along in good faith, because it was signed in good faith and we cannot renege at this point in time. Above all, there isn't an overwhelming reason to renege on the deal.

The Chair: Thank you, sir. Ms Witmer.

Mrs Elizabeth Witmer (Waterloo North): I would tell you that you've not convinced me that there is a need for this new office tower at the present time. I think it's most irresponsible that you would be using your money in this way and I certainly have many questions and concerns about that issue.

I would indicate to you I've also received many letters and phone calls from individuals, particularly employers, who are concerned about the decision that has been made at a time when there is so much empty space within the city of Toronto. I think it's unfortunate that there wasn't an opportunity

for more discussion on this issue prior to the announcement being made.

I'd like to take a look at the issue of training. Recently it has come to our attention that students who are involved in programs at the community colleges, and even students who are involved with school boards in co-op programs—there seems to be some concern, because there's an indication now that the employer is going to have to pay the WCB costs for some of these students when they go out on work term.

I guess I would ask you, why was there no consultation with the players who would be involved? Why were you prepared to go ahead as of January 1993 without consulting with the community colleges and the hospitals and possibly the homes for the aged and possibly the school boards? Because this obviously is going to be a new cost. This is a cost too that obviously might have an impact on OTAB and the success of that particular program. I'd really appreciate knowing why there was no consultation and why this direction is being taken.

Mr Di Santo: Mr King will reply to the training, but I want to just point out for a second about the building that I did not pretend to come here to convince you, obviously, but what I'd like really to clarify is that we are not using our money. This is like a house. You buy a house and you need a mortgage. The arrangement for the mortgage will be made by Cadillac Fairview. We don't use our money. We don't take \$180 million or \$200 million and invest in that. So it's not our money.

As for discussion, well, we were not there, so I could say easily, "It's not our fault," but I think there was extensive discussion, because the initial decision was made in 1989 and from 1989 until July 20, when the board finally decided that—the board is made up of four representatives of the industry and four representatives of the workers, and they consulted with their people. There was discussion going on. The issue has emerged now because we have come to the point where the building is starting, but there has been ample discussion.

As for the training, Mr King will explain to you why the interim decision was made in September.

1600

Mr Brian King: The question arose in the spring of this year as to whether those who were undergoing training courses were covered by individual employers for workers' compensation benefits. A review of our act showed that there is a provision to cover as workers a category called "learners" and there is a definition in the act.

In order to clarify the rights of both those who are undertaking training and the obligations of those who are taking people under training, an interim policy was put into place so that there would be no question as to whether one should file for compensation if one was injured on the job while, let us say, undertaking training as an ambulance driver or attendant. We have got to find a way to fund that.

Rather than allow the so-called schedule 1 employers or those that pay under collective liability to have additional costs, we indicated we would charge any cost to the collective liability of that group rather than the individual employer. Unfortunately, in the other group of employers, the so-called schedule 2 who self-insure, we have no ability to offset the costs across the board. We can't charge the C&R costs for hospitals who might be self-insuring. Therefore, we notified

those groups that they would be responsible for the costs of injuries which occurred.

We undertook consultation as soon as we could on this issue and consultation has been occurring. We are continuing consultation. The interim policy was to end as of December 31 of this year and it was at the request of those employers whom we were consulting that they asked for time to consider the issue further. Therefore, we've extended the period of consultation to February 28 of this year, with the final decision on what to do on this matter by June 30.

I think that we are receiving some criticism for honestly coming forward and saying no one has ever dealt with this problem before. Workers did not know their rights, employers did not know the risk side of, let us say, our hearings branch accepting a very expensive claim. I would hope that we would never be criticized for trying to honestly face the problems that come before the Workers' Compensation Board for determination.

Mrs Witmer: I think it was the manner in which it was done. You've indicated that there was consultation and you must know that you took many employers by surprise, particularly the original time lines were going to have a devastating impact, I know, on students in the ambulance program, because in order to get the diploma they need the hours on the job and, unfortunately, they wouldn't have been able to obtain that if the ambulance companies had indicated that they weren't going to take these students because of the additional cost. So I would ask you, Mr King: Whom did you consult with before you made public?

Mr King: We had gone through an intergovernmental consulting process in order to determine whether there could be agreement on having funding of workers' compensation come through the training agencies, both federal and provincial, or through the ministries which might be responsible for the programs. Unfortunately, we were unable to conclude that consultation.

I want to point out, however, that this was not dropping something on the employers. They still bear the obligation to provide compensation if a worker is injured. We merely clarified that these trainees are, for interim purposes, workers, because that is the prevailing opinion at the present time. Perhaps after consultation a determination will be made. Otherwise, I don't happen to see that because I think the thing is so clear in law.

I think what we were doing was telling ambulance companies, "You may be risking costs," and we have clarified this to say that if a learner is injured there may be costs. That, I don't believe, is dropping something on them. That is warning them of a reality or of a truth, because in our appellate structure indeed a learner who is injured could be found a worker and they would bear those costs.

Mrs Witmer: Whom will you be consulting with now in your attempt to resolve the problem? Will you be talking to the ambulance drivers and the other employers who are going to be involved? You mentioned that your consultation so far really has been interministerial as opposed to going out to the wider community. We talk about stakeholders and I guess we have a whole group of people in the province who really have

not had a chance to be involved in this discussion, and I'm wondering: How are you going to involve those individuals?

Mr King: I don't think there's any trouble determining who is interested in this because I think every one of them's written to me personally. We are consulting through the Ontario Hospital Association and individual hospitals; we're consulting through organizations such as the Employers' Council on Workers' Compensation. The board has a rather complex series of groups it pulls in when it is involved in a consultation. So those parties which will be mainly affected are being involved in the consultation process.

Mrs Witmer: You would give your assurance that that will indeed happen?

Mr King: It's already under way.

Mrs Witmer: You'll be making your final determination then as to time line—

Mr King: June 30.

Mrs Witmer: June 30. When will that be effective then? The decision that you would make, when would it become effective?

Mr King: It's effective in an interim way at the present time because people wanted clarification as to whether they had liabilities should a learner be injured. We merely clarified. The interim policy is yes, you would be liable. We will finalize the policy after consultation.

Mrs Witmer: Why would you not extend that policy until such time as you've had an opportunity for adequate consultation?

Mr King: Are you suggesting that we not protect the workers who were vulnerable, who were out there to become the future nurses and the future X-ray technicians, the future taxi drivers? Are we to leave them vulnerable when our act says we should cover them?

The Chair: Thank you, Mr King. Thank you, Ms Witmer. Mr Waters.

Mr Daniel Waters (Muskoka-Georgian Bay): It's nice to see you gentlemen back again and I thank you for coming in.

I think I'd like to refer to page 37 of your report and there's—

Mr Di Santo: Which one?

Mr Waters: It refers primarily, I guess, to one of the—

The Chair: Just for the record, you're talking about the May 18, 1992, final report. Correct?

Mr Waters: Yes.

The Chair: Thank you, sir.

Mr Waters: I'm talking about paragraph 4.1.1 on that report, and because I haven't had a chance to go through it all yet, I think that a lot of those points there, 1, 2 and 3 in particular, as well as the two above them, were the primary reasons in discussions that everybody brought forward and I would like some of your personal comments on those.

Mr Di Santo: I think that we admit in the report with frankness that there are problems. There have been problems and there are still problems in the decision-making process at the board. If you have time to read—

Mr Waters: I intend to read it word for word, believe me.

Mr Di Santo:—the action plan, you will see that following the recommendations of the task force, in fact we have committed ourselves to have a new model of case management that will in fact impact positively on the way we deal with cases at the present time. In the interim, we have taken a number of measures to try to solve the problem.

The first decision that was made was to remove the adjudicator assistants that were also criticized by your committee when we appeared before you originally. We came to the realization that in fact that was a resource that was not used appropriately within the board and we have upgraded all of them, 202 if I remember correctly, to the position of adjudicators, so now we have a larger number of adjudicators.

Also—the board doesn't want to take all the credit—because of the economy the number of accidents has decreased and therefore the case load has decreased substantially also for injured workers, even though there are some negative side-effects because the recurrences in the meantime have increased and therefore the case load is more manageable than the time when we appeared before you.

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Also, on November 26 we approved the new budget that was prepared by the vice-chair, and in the new budget we are trying to do the impossible. For the second consecutive year we have an administrative budget that is a straight-line budget. We are using the same amount of resources to produce more work, basically.

If you take into account the fact that we have a collective agreement with our organized staff and that you have to include the cost of living and increasing benefits, and inflation low as it is now, we are using basically the same amount of dollars to give a better service.

Also, because the task force recommended unanimously—I must point out that the task force was also bipartite: two representatives of the employers and two representatives of the workers. In fact, two representatives of the employers on the steering committee, Maria Marchese and Stephen Cryne, are present here at the hearing. It was a consensus report and one of the recommendations that they made to us was to try to give better service by reallocating resources and that's what we did in the budget.

In the budget we made two decisions that were very important for us. The two decisions were that within the same allocation of money we would increase 20 adjudicators and 20 case workers, so that we can respond more promptly to the needs of the injured workers.

I think, personally, that if you look at the decision-making process, if you look at the way we deal with the public in general, if you look at more elementary things that you yourself pointed out in your direction to the board when we did the operational review—the way we communicate with the public, both the employers and the workers—I think that we are making progress towards that.

I think 1993 will be a crucial year because we have, for the first time in the history of the board, not a budget with a bunch of numbers and figures and statistics, but we have an organized document, a plan of action that tells exactly how we are moving.

Also, because we have made a decision, Brian and I, that we want to be accountable not only to you but also to our

stakeholders and to the public of Ontario, if you look at the action plan, we have done something that perhaps we will regret at the end, but in the action plan we have established a timetable that ties our hands and will force us to make decisions in a way that we will be called for if we don't respect the timetable.

That's what I can answer to you in general terms. If you want to be more specific, I—

The Chair: Thank you. Ms Murdock.

Ms Sharon Murdock (Sudbury): I'd like to thank you for coming as well and remind everyone that the 12 hours under section 125 are with regard to service delivery rather than some of the other issues that have been raised.

Speaking of service delivery, I want to get back to training. One of the things that our standing committee report was about, and we had a number of comments made in that, was in regard to the inadequate training of the claims adjudicators. Of course moving adjudicator assistants up isn't helping that process, I don't imagine. We are still actually receiving complaints from different MPPs in regard to the fact that they don't feel the training is adequate at the present time.

Having said that, and keeping in mind that the action plan is taking that into consideration, I'd like to know, first of all, what the time frames are for retraining of your adjudicators. Secondly, what kinds of cost implications are we looking at in terms of that retraining? Also, obviously, if they're being retrained then they aren't on the job and so on, so those have cost implications as well. Thirdly, an idea that was raised by some people here in the standing committee but also outside was in regard to mechanisms to track policy decisions where claims decisions have been overturned at either decision review hearings or WCATs, and how that filters back down into the system.

Mr Di Santo: On the last issue, we address that rather directly in our operational review. We have been trying to devise a possible way of dealing with tracking the decisions where they are reversed. But the reasons why decisions are reversed are not of one nature only; there are several reasons why a decision is reversed, either by the decision review branch or by the hearings branch. Therefore, it is extremely difficult for us—

Ms Murdock: If I might, just on that point: Because of the lack of training at the claims adjudication level, many of the complaints are that they are being sent back to claims from a reviewer at the decision review branch stage and, as a consequence, you're talking of time frames of seven, eight weeks before decisions are made. I'm speaking more along the training aspects.

Mr Di Santo: Okay, the training aspect. We admitted frankly when we came before you that before we came, for a number of years, because of all the changes that had taken place at the board—introduction of new technology, the introduction of imaging, the new payment system—really there had not been time to train the staff properly and that was a problem. So in 1992 we doubled the training time for the staff.

The first occasion that we really had to deal with this issue was the budget for 1993. In the budget, taking into account your recommendation, we have increased the number of trainers by 50%, which means that in 1993 the training

time will be increased 50% across the board. We are very committed, Brian and I, to training because we realize that.

When I came, I found it very painful that we had young kids coming out from George Brown College dealing with issues that affect the lives of people they didn't know about, and they were not equipped because they had not been trained properly. So we are increasing substantially the training. In 1993, everybody in the board will be trained and I will be insisting that at every level there has to be training. Yesterday, Brian and all the vice-presidents went to train themselves; they secluded themselves. We think that if you don't have good training you will not have good decisions up front. If you don't have good decisions up front, you have appeals and you have reversals and you have appeals to the hearings branch and you have appeals to the tribunal. The system becomes convoluted because of that original sin, and that's what we are trying to address and I'm sure that we'll do that, also because the staff is very enthusiastic because they were totally frustrated.

When we came to the board there was an incredible flood of new policies flowing over their heads every week. They were submerged. If you went to the desks of the adjudicators they had piles of policies and they didn't understand them, so we are also addressing that issue from this standpoint, that we will empower the front-line staff in the development of policies. In other words, when we have a new policy development we will go to the staff and ask them: "What do you think of this policy? Do you think that it's implementable, that it's practical, that it makes sense to the people you deal with?"

Also, the second aspect: In the implementation we will try to involve everybody. We give the greatest importance to this democratization of the workplace because one of the problems that we had at the board was the disenchantment of the staff because they felt alienated from the process. They were the recipients of orders coming from the top and they

didn't have any say in the development of the policy, in the implementation of the policy. They were like robots, and of course that didn't create a morale that was conducive to do good business with.

The Chair: Thank you, sir. I want to thank you, Mr Di Santo and you, Mr King, for your cooperation. We appreciate you coming here today, not only your presence, but the presence of your colleagues from the Workers' Compensation Board. You have, of course, participated with the committee's process and cooperated fully; there's absolutely no suggestion to the contrary. That's not only a pleasure but it is applaudable in itself.

Mr Di Santo: Mr Chairman, just if I can take one second. We make ourselves available, not only to this standing committee but also to the various caucuses. If they want to discuss any issue, we are willing to come—we did already.

The Chair: Thank you, sir. Gentlemen, thank you kindly. Take care.

That completes the time permitted for Mr Waters's standing order 123-125 designation.

Mr Huget, do you have a motion for the committee? Do you want to put that on record, Mr Huget?

COMMITTEE BUSINESS

Mr Bob Huget (Sarnia): I move that the Chair of the committee is authorized to determine the administrative matters and to approve advertising and travel if necessary on any matter referred to the committee by the House to be considered during the winter recess.

The Chair: There's no discussion. All those in favour, please indicate? Opposed? Motion carried. Any further business? Thank you, people. We are adjourned sine die, as they say.

The committee adjourned at 1622.

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STANDING COMMITTEE ON RESOURCES DEVELOPMENT

***Chair / Président:** Kormos, Peter (Wells-Thorold ND)

***Vice-Chair / Vice-Président:** Huget, Bob (Sarnia ND)

 Conway, Sean G. (Renfrew North/-Nord L)

 Dadamo, George (Windsor-Sandwich ND)

 Jordan, Leo (Lanark-Renfrew PC)

***Klopp, Paul (Huron ND)**

 McGuinty, Dalton (Ottawa South/-Sud L)

***Murdock, Sharon (Sudbury ND)**

***Offer, Steven (Mississauga North/-Nord L)**

 Turnbull, David (York Mills PC)

***Waters, Daniel (Muskoka-Georgian Bay ND)**

***Wood, Len (Cochrane North/-Nord ND)**

***In attendance / présents**

Substitutions present / Membres remplaçants présents:

 Ward, Brad (Brantford ND) for Mr Dadamo

 Witmer, Elizabeth (Waterloo North/-Nord PC) for Mr Turnbull

Clerk / Greffière: Manikel, Tannis

Staff / Personnel: Anderson, Anne, research officer, Legislative Research Service

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Second Intersession, 35th Parliament

Official Report of Debates (Hansard)

Monday 18 January 1993

Standing committee on resources development

Ontario Training and
Adjustment Board Act, 1993

Assemblée législative de l'Ontario

Deuxième intersession, 35^e législature

Journal des débats (Hansard)

Lundi 18 janvier 1993

Comité permanent du développement des ressources

Loi de 1993 sur le Conseil
ontarien de formation et
d'adaptation de la main-d'oeuvre

Chair: Peter Kormos
Clerk: Tannis Manikel

Président : Peter Kormos
Greffière : Tannis Manikel

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Monday 18 January 1993

The committee met at 1410 in committee room 1.

ONTARIO TRAINING AND ADJUSTMENT BOARD ACT, 1993

LOI DE 1993 SUR LE CONSEIL ONTARIEN DE FORMATION ET D'ADAPTATION DE LA MAIN-D'OEUVRE

Consideration of Bill 96, An Act to establish the Ontario Training and Adjustment Board / Loi créant le Conseil ontarien de formation et d'adaptation de la main-d'oeuvre.

The Chair (Mr Peter Kormos): We're ready to begin; it's shortly after 2 o'clock. Minister Allen is here. Minister Allen has to leave at 3 pm. He of course will make some comments. It may last as long as half an hour. I will be inviting each caucus, if it wishes, to address the matter for up to five minutes and then go into the process of questioning and responses for the minister, who does have to leave at 3. But the Ontario Training and Adjustment Board project staff people are here and will remain here for the balance of the afternoon to respond to any questions or to make any further comments. Mr Allen, please.

Hon Richard Allen (Minister of Colleges and Universities and Minister of Skills Development): Thank you very much, Peter. It's a real pleasure to be here with the committee on this occasion. I'm delighted to look around and see what a strong committee is being assigned to the OTAB project, Bill 96, and to the hearings that will follow over the coming weeks. I'm delighted that will be happening.

We've been through a major consultation to date and this in effect will take another sounding with the public with respect to this project now that it's rather more defined around legislation. So I'm looking forward very much to what will emerge from the hearings as we go through them and then to listening to any proposals that may come forward for amendment.

It's a very timely meeting because I am meeting later today and then through Tuesday and Wednesday morning with the labour market ministers of the various provinces. Midway, Mr Valcourt, the federal Minister of Employment and Immigration, will be meeting up with us and we will be addressing many of the issues that you'll be involved with over the next few weeks in your hearings around Bill 96.

I'm also delighted to be here with Naomi Alboim, who is the deputy in charge of the OTAB project team, and with quite a number of her leading staff who, I must say, do just a magnificent job in terms of all the detailed work that goes, day by day, into the preparation and building of this project.

I think it's safe to say that there's rarely been an area of public policy around which such a degree of consensus has emerged as the issues of training and adjustment and, in particular, the training side of that matter. Everyone, wherever you go across this province, is deeply seized of the training agenda, of the need to address the human resource bank, if you like, that we have in this province and to develop it even further.

Everyone knows that a highly trained, highly skilled workforce is essential to economic recovery and to the social health of this province, that today's rapid advances in technology, which are so stunning to all of us, demand that our human resources keep pace. I think there's an immensely significant consequence that, over the years, we will see with this new emphasis upon the human resource component of the economy.

This isn't in my notes, but an historian like myself is tempted to look back over 1,000 years and to observe that where once we had a society based on land and then we had a society based on capital and commerce, we now are going into a society which is very much based on mind and mentality, on the skills of people in a way that has never been the case before. I'm sure that'll have far-reaching consequences for our entire society and our entire culture.

Of course, investing in our skills base is going to be one significant means of attracting investment to this province. It will help us inevitably move our economy towards higher value added activity. That, in turn, produces the capacity for more refined and better-quality products which will commend themselves to a greater degree on international and domestic markets and which will, in turn, then entice even more investment into this province. So the conclusion has to be that a higher-skill, higher-wage economy will benefit everyone in Ontario. This approach to training is certainly a key component of the government's industrial policy framework.

What Bill 96 is about specifically is to create a mechanism that will help us to develop a labour force that will excel at doing today's jobs and tomorrow's jobs. It's about a government sharing responsibility with labour market partners and it's about involving the people who are most familiar with the needs of employers, workers and future workers. Put simply, Bill 96 is about meeting Ontario's training needs.

If I could just indulge for a few moments in a brief history of this project, I'd like to note first of all that the emphasis on training isn't entirely new. It certainly didn't get born with the OTAB project team and it didn't get born with this government. We know it has had various lives and histories in various provinces and in various countries around the world. In fact, in terms of the Ontario context, it was not this government but a previous government, through the 1990 report of the Premier's Council, that recommended the establishment of a training and adjustment board in Ontario which would encourage partnership among the key players in the labour market. The council recommended much greater ownership of the training and adjustment system by those partners and that was a very crucial and important step in leading to where we are today.

At about the same time, the federal government was going about its work in preparing the Canadian Labour Force Development Board, again based on the notion of partnership and the development of common training goals. That was formed in 1991.

As we review this bill, there are not only those two developments behind us in this country; there are also plans under way across the country for a variety of provincial labour force development boards currently under development province by province.

These developments—I don't think I have to remind members of the committee of this but I'll do it—were in turn based upon the international experience with labour market planning in other jurisdictions. When we've looked abroad, we've seen boards of one description or another developed to handle these responsibilities—in western European nations in Germany, in the United Kingdom, in the Netherlands and in other countries—and their experience has provided us with some good examples to look at to see how they were organized, what scale of responsibilities they took on, what the consequences were of their organization and what the overall effects and benefits have been for the economies and countries in question. Those organizations in general all work on a partnership basis to arrive at common solutions.

Bill 96 expands on the federal experience, on the overseas models and on the work of the previous government of Ontario. By building on what we have seen in those other places and expanding on the Premier's Council vision, we have developed our own made-in-Ontario model which we are presenting through you in the form of the legislation that's at hand.

What we did in terms of adjusting the models to our own purposes was to try to expand the partnership somewhat, in particular, so that we would be assisting unemployed workers and people who want to re-enter the workforce as well as those with jobs in having a say in the development of policy around training and adjustment in Ontario.

Therefore, it would broaden its range of concerns in some measure as well and it will address the full range of training needs from the most basic and the most generic skills, such as literacy and numeracy, right up to highly technical skills training, and all of that for workers who are both in the workforce at existing jobs and those who are out of the workforce and wanting to enter or re-enter it.

We know of course that everyone has a part to play in our economic renewal and that's why Bill 96 recognizes the critical importance of the two lead labour market partners, business and labour, playing a leading role in OTAB as the lead partners. But that is also why this partnership includes women, racial minorities, people with disabilities, francophones, educators and trainers, and aboriginal people, if they wish to participate. Active negotiations are under way with them around that question. So the purpose, of course, is to ensure that the needs of all Ontarians are addressed by that representation.

We base our model on the idea of partnership quite simply because it has been proven to work, both internationally and here in Canada. For example, we've supported labour-management partnerships to train workers in the past across entire sectors of the economy, such as steel, automotive parts, electrical, electronics, plastics, tourism and hospitality. We have a number of training trust funds. In fact, they go into the scores of training trust funds that are in existence which have demonstrated that workers and employers can work together effectively.

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So we do have a history of successful initiatives in bringing bipartite sponsorship to training initiatives, and those are ongoing at this point in time in our province. There is no reason to imagine why we cannot, at the upper level of our training system, use a similar kind of partnership to govern the training and adjustment policy development and implementation in Ontario. Bill 96 is being built on a foundation which is already there and which guides us and helps us as we go into an implementation phase in the wake of the passage of the bill.

Of course, in a true partnership you don't just share ideas; you try to share power and responsibility, and Bill 96 does that. OTAB is based on the idea that programs and services should be designed and managed by the people the system is intended to serve. Therefore, Bill 96 gives the partners some real power and not just an advisory role. I may say that many of the other boards across the country that are being designed like the CLFDB, the Canadian Labour Force Development Board, do tend to rest rather more on the advisory side of the activity. Two boards that don't are this board and the board that has been developed, the *société*, in Quebec.

But because OTAB is doing the public's business, it has to be accountable to the public and be accountable to the public through the Legislature and government of Ontario, so Bill 96 does include a number of mechanisms to ensure OTAB's accountability to government. These accountability mechanisms make it improper to talk about OTAB as though it were a privatization. That language is being used with respect to some boards in some places. This is a full, scheduled government agency, and it is, as such, accountable to the government in a very significant series of ways.

It will, for example, through the bill be responsible to the government because it will have to live up to the purposes and the objectives of the bill and the manner of operation that the bill prescribes. It will have to operate within the government's broad policy framework. It will have to respect government policies and legislation that bear on all aspects of labour market training, general social policy, language policy and so on.

As well, it will have to be subject to the possibility that if it does not live up to its objectives and purposes and goes astray, it will have to be subject to government—to ministerial—directive. The minister will be able to direct this board to do certain things if it in fact is not performing its appropriate role.

In addition, OTAB will operate in relationship to the government under a memorandum of understanding. It will be required to submit annual and multi-year plans for the government's approval, will be subject to audit by the Provincial Auditor and will be part of the estimates process. So there are a lot of accountability structures in place that give overall direction and provide that accountability to the public for the use of public resources.

In addition to transferring leadership and sharing responsibility with the labour market partners, OTAB will of course set about reforming the current training system. This will in the first instance involve a consolidation and coordination of programs and services. We do indeed have quite a range of offerings at the moment, but they're spread among several ministries, as you know. They do not serve the public interest

as well as they should, and therefore bringing those programs together under a single agency will accomplish a number of things.

In the first place, it will make the system easier to access and easier to understand. It will also enable us to identify better the inefficiencies and the gaps and the overlaps and the duplications in what is now in place and then to remedy those. It can therefore also help us streamline programs and services to make them more efficient and more cost-effective, because we'll be getting some benefit from economies of scale in the coordination and consolidation of the programs. We'll be combining work that is now divided among various offices and therefore requires a greater degree of bureaucracy than will be necessary at the end of the day for the same purposes under OTAB. We'll be able to evaluate much better what works and what doesn't work in the training system, and of course where we are able to identify successes—and there will be identification of successes, because there are successful programs out there—it will be possible for us to strengthen and build even on those successes.

A very important part of the reform and new development of the training and adjustment system will be a network of local boards. I want to underscore for you that this local board development, while it's very closely linked with the OTAB project, is, however, a quadripartite, if I can use that word, venture. It's a four-sided venture which we share with the Canadian Labour Force Development Board through OTAB and between the provincial government and the federal government, the Department of Employment and Immigration, so there are four agencies in effect that are going to be involved in the local board development.

That of course limits to some degree what can be put into a provincial piece of legislation at this point in time around all that, but I think it's critically important to note that this is happening alongside and ancillary to and ultimately integrated with the activities of OTAB and that it'll be through those local boards that many of the greatest benefits will in fact be felt by the people of Ontario.

OTAB will help us do a much better job of long-range planning as well. We will be strengthening our ability to gather labour market information and economic data, both locally and provincially, across the entire province, not just for single regions, communities or sectors, but for all of those sectors in the economy and province-wide as a whole. As a result, training and adjustment programs will be susceptible to much better planning, much better development and much greater relevance to the needs of local economies as well as the overall provincial, and one could say national, economy, since so much of it is concentrated here in Ontario.

Currently, not all Ontarians have the same opportunity in the labour market. I want to underline that and I think we need to be very conscious of that, that there are significant barriers in the current system that do limit people's access to training as well as to jobs, and by being denied access to training they are denied access to jobs as well. OTAB will address those barriers in a real way and build an inclusive approach to all our training and adjustment services to ensure full participation by the people of Ontario.

Just a word about the consultation that lies behind this legislation so that you understand what status the legislation

in fact has in terms of the Ontario public at this point in time. I think it's important to note this. We've tried throughout not just to be inclusive in the structure but to be inclusive in the process, so we've worked very hard at the consultation process to try to secure the advice and the ideas of a very wide variety of people in all sectors of the economy and across the entire province.

Very shortly after I was given this responsibility, I personally held a series of meetings with various of the stakeholders in the economy who would be affected and who might have ideas on this subject. That went through the winter and into the spring of 1991. Later in that year, I then formed an external consultative committee which represented business, labour, education and community groups and had a great deal of important input in that respect as well.

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At the same time, we were preparing and eventually distributed some 40,000 copies of a discussion paper that I think you have all seen and read. At that point, I took the consultation to the grass-roots level in community meetings across the province. At the same time, the Ontario Training and Adjustment Board project had been gearing up and began holding meetings across the province, which ultimately numbered several hundreds in their scale and touched absolutely every group and every small cluster of people that wanted to talk about this issue. That continues to this day of course.

The consultation, however, went much further. In January 1992 we asked the labour market partners themselves to form steering committees to help spread the discussion throughout their respective groups, whether that was labour or business, whether it was the educator-trainer communities, whether it was women, visible minorities, those with disabilities or the aboriginal community.

Each of them did that and spread the consultation on a very widespread basis throughout the length and breadth of Ontario and, as a result of that in fact, have now organized province-wide reference groups that are poised to provide ongoing advice to their representatives on the board on an ongoing basis. Those structures did not exist a year and a half ago but they are in place now and they were brought into place by virtue of this kind of consultative process.

During the year, a very eventful year, people who've never sat down before around the same table, and certainly never sat down around the same table around the training agenda, began to work together in a common fashion. There have been some very interesting and encouraging spinoffs from this consultation. Not the least important point, of course, is that the legislation that you now have before you is in fact the result of a very widespread consensus about the way in which we should be approaching the matter of legislation and the structure and ongoing responsibilities of the board.

But there are other things that need to be noted. For example, educators and trainers who'd come together had never met together around training issues. That was unprecedented. Business associations had never met together across this province around the training issues. The racial minorities steering committee, which certainly had never met together around this issue, held a provincial conference and then held community discussions that followed that up. Women formed a coalition on training which now numbers some 800 members,

where none had existed before. All of those people have lent their weight to the process that has resulted in this piece of legislation.

The government further encouraged this coming together by calling meetings of all the steering committees in May and June of last year. But the partners in effect built their networks essentially on their own initiative once we began involving them in the process. They in fact are the ones who are building the true partnership that underlies and surrounds this whole venture that will lead to the creation of the board, and I must say it's been an exciting process to watch as well as to be part of.

There was as well, as you'll recall, a thorough consultation on local boards. A panel of representatives of the labour market partners as well as the federal and provincial governments, over and above all that I have just referred to, held public meetings in 23 Ontario communities in April and May 1992. That involved a total of 55 different meetings with formal presentations from 925 individuals. More than 3,000 others attended those meetings, and in addition to all that were verbal presentations that the panel received as well as some 900 written briefs.

The resulting report, in a somewhat different approach to this sort of thing, was not written by my staff or any other government office, but in fact was written by the panel of labour market partners themselves and, as such, the report, Community Discussions, was a very direct indication of the public's perspective on the OTAB issue. During that tour, the panel certainly heard extensively about ideas and comments relating to OTAB itself as well as the local board initiative.

Again, what makes Bill 96 rather unique is the way in which it was drafted. It is based on a mandate statement that was written by all the labour market partners. I must say they worked long, hard and mightily around the mandate statement, to pull together an agreed-upon set of objectives and mandates for the board. The early draft wording of the proposed legislation was in fact shared with the partners in sort of a plain English version and got feedback from them, which in turn was incorporated in the bill. That in turn was a demonstration on our part of the importance of our commitment to give the partners ownership of OTAB through the whole process.

In that sense, what you have before you is not just the work of the government in some technical sense of government, but the work of steering committees formed by business, labour, women, racial minorities, people with disabilities, francophones, educators and trainers. I certainly want publicly to recognize the immense amount of work they've all poured into this project and commend them for how well they've taken on that responsibility and how willingly they have performed it.

People care about this issue. It really touches their sense of where they're at in terms of their needs at this point in time, in terms of their sense of where the economy's at, in terms of the need for very positive measures to address the crisis we all feel in our families and in our lives as well as in our political parties and at the level of government.

I understand that some 140 people have registered with an intent to speak to you as the committee and I must say I look forward to hearing their comments and suggestions.

That certainly will help us all ensure that Bill 96 is built as a solid foundation for OTAB, because OTAB will be around for many, many years to come. This is a major new institutional development for the province and it will be the centrepiece of significant human resource activity, labour market development in subsequent years.

I thank you all. I look forward to being able to respond to your questions and I know that when I leave at the end of the hour, Naomi will be happy to stay with you, as well as other staff, to respond to any details you may need for as long as you're meeting this afternoon.

The Chair: Thank you, sir. We're going to have eight minutes per caucus for questions to the minister or commentary. Use it as you wish.

Mr David Ramsay (Timiskaming): Thank you very much, Chairman Kormos. Minister, thanks very much for coming today before us. I understand from some of the sub-committee discussions that there may be an opportunity to come back at the end of our hearings for some other questions and answers. That would be very much appreciated, because really we're here today to listen to all the people who are going to be coming before us. You've mentioned that there's a great interest across the province in OTAB and training and we appreciate, from the Legislature, having the four weeks to talk about it.

I'm going to make some brief comments and we can then maybe go on to some other comments, then get back to questions and answers a little bit as to why you are here. Just to reiterate, you're right: I think everybody in the province understands the importance of training today. Everybody cares about that and I think they understand that, for a rebuilding of the Ontario economy, we're going to have to really address, as we never have before, the question of training. I think we all also believe we're only going to do that through some measure of partnership between all the players out there in the workplace and academia—it's going to be very important—to work together.

I think where we really start to part company is what I would call the sort of leap of faith you make that we can put all this together so quickly. In fact, you mention that even at the beginning of this year some of these people didn't talk to each other, hadn't even spoken to each other yet, and within about 18 months we're going to get all these people up and running, set up in an independent bureaucracy and give them a whole pile of money and the total authority for training—not only workplace training but all training—in the province of Ontario. I think that's just expecting a bit too much. Even though on paper that's a tremendous model I think we should all aspire to, as I've said to you before, I hope we would work a little more incrementally in trying to build those partnerships.

1440

If I can be allowed to reflect as a northerner for a minute, it's like putting people with different aspirations in the same canoe and hoping they'll paddle to the same place. We all want to get to the same place and we'd like to do that together, but I think we need, like those other provinces—and the federal government had commenced this exercise—to start on a more advisory type of approach so that you get

those relationships maturing, get those people starting to work together in giving you, as the minister of the day, advice as to where we should be going, and when those relationships are mature, we get good working relationships and people now sort of in that canoe and paddling in the same direction, then start to give them the authority. Again I bring it back to your attention that I think that's very important.

I guess the other point I would just want to make, because we're going to have lots of opportunity to make others and I've had my time certainly in the Legislature and this is a time for others, is this whole idea of a schedule 4 agency of government. I hope through this process that we'll be able to educate a lot of the people who come before us who aren't as familiar with the different agencies of government what that means for people, that it's like what the Workers' Compensation Board is and what the Workplace Health and Safety Agency is.

We know some of the troubles that those agencies are getting into, partly because of their makeup, their design, the composition of the board members, and I just hope we would learn from past experiences to do better in government. In fact in government I think we have to start to think in new ways, and not as some people have suggested, that government do all the rowing, do all the maintaining of services, but just be the catalyst and sort of steer society in the direction we want to go and not necessarily try to provide things.

I see the establishment of OTAB as a big, provisional agency, a big agency we're going to come to rely upon to provide training for us in Ontario and sort of the direction of training. I'm just worried we're setting up a big new government bureaucracy, but even worse than that, putting it away as a schedule 4 agency so it has a bit of independence and could start to get into some of the troubles these other agencies have.

I think I'd like to conclude my remarks there. Maybe the Progressive Conservative Party would like to have some remarks and then with the time left we could get into questions and answers.

The Chair: Four minutes remaining.

Mr Ramsay: All right, thank you.

Mrs Dianne Cunningham (London North): I'm obviously very pleased to be here today, Mr Chairman, and happy to see the minister and wish him a very successful 1993, because I think this will be the year of some progress in establishing training programs that are meaningful in the province of Ontario, and probably a decade overdue.

But having said that, I think the minister's well aware of the support our party is prepared to give to him with regard to establishing these training programs. He's also very much aware of the concerns that we have. I must say I have been a particular critic of the process so far, specifically the process on the local board hearings, which in my view was almost non-existent, but I will say that I am here to listen now, as I'm sure he is.

I know listening doesn't always mean changing things, but one of the great criticisms of all governments in the past is that they have public hearings. Now we have public hearings with members of this Legislative Assembly, all-party hearings, and I think we've been fairly successful in a couple

of other arenas I've been serving in in the last couple of years and I hope we will be here as well.

I consider training to be a particularly non-partisan responsibility of both the private sector and government and I'm expecting that we will take the time at the end of these hearings to analyse what we hear, and if there are strong positions that have been made by the people we will be relying on to assist us in providing the programs—the minister has said that so clearly today, that that's exactly what we'll do.

It hasn't been my experience, unhappily, in many of the committees I've served on to see changes when legislation is presented, but I think this one is far too important to move forward on our own. If indeed it means that we're going to have to take a delay or the government's going to have to take a delay and make some changes, I think we should be listening very carefully.

I say that because I've probably been out on maybe 20 to 30 occasions in the last couple of months—yes, over the break as well—where I have heard the compliments of both the public and private sector as well as their concerns. I think their concerns are worthy of significant study and positive response.

I'm going to take my usual, I think, position of enthusiasm today and hope that between all of us we can work out this OTAB, given that I have to say that if I were in the government—I'm obviously not—I would not have moved to a schedule 3 facility to provide this training. But you're the minister, and unless you get some pretty good advice on why you shouldn't do that, I would expect that you will probably proceed. However, it's in my best interests to give you the advice that I think you should get. So thank you, Mr Minister, as always.

The Chair: Thank you, ma'am. We have five minutes remaining. Mr Sutherland and Ms Swarbrick.

Mr Kimble Sutherland (Oxford): Let me just say to the member for London North that I'm sure we'd be all willing to arrange a seat over here if she is interested in becoming part of the government.

Mrs Cunningham: When you grow up, you will be on my side.

Mr Sutherland: I want to compliment the minister for coming in today and sharing his remarks with this committee. I'm very excited about this piece of legislation. I think everyone agrees on the need to establish a good policy framework for training and bringing it all together.

I'm pleased about this process of how it's been developed into a process of sharing responsibility between the government and the labour market partners out there and the great role that they've been able to play in the development of the actual legislation. That hasn't always occurred in the past. It has been sometimes a question of their being able to provide advice and then the legislation is developed without their input. I think it's very important to have the labour market partners involved in that process as well.

Obviously, the benefits of having a training and adjustment board for economic renewal in this province—we know what has gone on in the last few years in terms of people who have lost their jobs and have been looking for training programs and the amount of adjustment that is necessary,

the adjustment that had been promised at the federal level that did not come through. Obviously, this is going to help for economic renewal, and certainly investors will be looking to come here.

I think there's also the fact that we can coordinate all the training programs. I think all of us in our constituency offices have people who come in who find it difficult to access those programs, and having a more efficient process for that will be good as well.

One of the unique things that really impresses me is how this is going to be in some respects a client-driven thing in terms of those people who want to seek training and in terms of those employers who need specific training programs established or a training framework established for their industry, and the involvement of those people in developing the type of program.

I think this is really a landmark piece of legislation in that type of process. I think it's going to be very, very positive and I do have faith that the partners can come together and work together and develop the process necessary so that we will have one of the best training programs in the entire country.

1450

Ms Anne Swarbrick (Scarborough West): We're at a point in our society where it has become very clear that we have to address issues of job equity for women, for people of colour, for aboriginal people and the disabled. I think it's also very clear that you can't have job equity if you don't have training equity. I think the fact that women are still clustered in a very small number of occupations and that the better-paying jobs still go to too few women, too few people of colour, aboriginal people and disabled certainly indicates the real need for greater equity in training.

I want to congratulate you, Mr Minister, on the fact that in building this new structure you're ensuring that from the ground up it is being built in a way that will try to ensure that kind of education and skills training equity that is needed. You're doing that in terms of the entry and re-entry focus that you're putting on and, I understand, looking at ensuring that there will be a council to address entry and re-entry issues.

You're doing that in terms of the process that has brought us to this point, in having the legislation before us and having all of those so many different equity groups being involved. Clearly the need for that is shown by, for example, what you pointed out in your presentation to us today, the fact that there are now over 800 women involved in a brand-new coalition on women and training. That obviously shows the dynamic need and desire to have this that are out there.

I think you're clearly also showing it in the kinds of objects and goals you've built into the legislation in terms of the proactive language you're using with regard to the need to seek out and eliminate discriminatory barriers to ensure access and equity in training programs and services. Basically, I want to congratulate you for making sure that from the bottom up you're building a structure that will ensure greater equity to all groups within our society.

The Chair: We have three minutes left.

Mr Steven Offer (Mississauga North): If I may ask a question and make a few comments with respect to the opening comments by the minister, I think we all recognize the

need for relevant effective training and retraining programs on an ongoing basis in this province, Mr Minister, and I'd like to thank you for your opening statement.

However, having said that, I must indicate a concern that your opening statement was less a fact as to what's in the legislation than a hope in a committee room. You will know, under this legislation, that the real substance of this legislation is left to regulation.

I need only refer to those parts of the legislation that talk about regulations for governing decision-making procedures, respecting the establishment and composition and operation of local training and adjustment boards, regulations with respect to assigning powers and duties to designated local training and adjustment boards and the list, as you will know, Minister, goes on and on.

It's my belief that there are many groups out in the province involved in training and retraining that really do require and demand more certainty. There's so much that has been left to regulation.

I know that the time for yourself is short this afternoon. Can you give this committee a commitment that in those areas that are prescribed by regulation, those regulations will be brought before the committee so that we can take an in-depth look into the legislation and the regulation, the regulations of which are really the most substantive aspect of the bill that we are going to be dealing with?

Hon Mr Allen: The question of regulations, as you know, is one that always arises in the context of committee work when bills are presented. The normal procedure is not to table the regulations with the legislation.

I understand the importance of the matters that are dealt with under regulations. The intent of the bill was to provide a framework document that would govern the overall structure and proportions of the Ontario Training and Adjustment Board and which would deal with the matters which the government in particular has a direct interest in and therefore has to have bedded down in legislation.

Many of the matters that are being devoted to regulation or being dealt with under regulation are under that head by virtue of the fact that this is after all a partnership, and the partners have to come together to discuss and deal with many of those issues, such as the decision-making process. The government is not unilaterally going to impose on that partnership a decision-making process that it is not happy with or wouldn't work under. Until that discussion is complete, there will not be a regulation available, obviously, on the matter of decision-making.

On the question of local boards, yes, regulations will deal with aspects of local boards. The local board regulations cannot in any way be presented to anybody until the four partners I referred to, the federal government, CLFDB, the provincial government and OTAB, have had a chance to sit down and work out how they will approach that question, what the frame of reference in terms of reference of the establishment will be and what guidelines will be sent out to local regions in order to begin the building process.

There are some aspects of regulation that are really very distant and far off and may never come into play, for example, the whole fee-paying question. OTAB may never require fees for certain services and therefore the question of regulations

may never come up. But the normal pattern in the introduction of legislation is not to provide the regulations in advance, and I think there are even more reasons why that should not be the case with respect to Bill 96.

Mrs Cunningham: Just in asking some questions, I suppose, Mr Minister, to be specific, there are concerns about the underrepresentation of the education community. If in fact this is brought to the surface again during these hearings, are you going to look at changes in the makeup of that board in any way?

Hon Mr Allen: You will of course be hearing from all of the partner groups, I presume, at one point in time or another in the course of your hearings, and you'll be hearing also from the educator-trainer community. They will present to you whatever arguments they present to you. I can only say that those arguments have been made to us, and they have been made not least of all in the educator-trainer reference group, which has provided us with the final advice as to what the appropriate representation should be on the board.

It may well be that there's an individual school board out there or an individual private trainer or an individual college or an individual university or whatever that may say to you: "We don't like the representation. It doesn't seem like it's what it ought to be." None the less, I remind you that there's been a process behind this, that the educator-trainer group that represents five different training and education constituencies has indeed worked this through fairly carefully. We've had then in terms of our response to them, to think through what constituted appropriate representation, and the numbers are where they are.

If someone can provide an overwhelming argument why they ought to be something other than they are, I am the first one to acknowledge it's an overwhelming argument, and I'll accept it. But I have not heard that argument yet, and so I'll listen very carefully through the rest of the hearings to see whether it does come forward or not.

Mrs Cunningham: To see if there's an overwhelming argument.

I spoke to the board of trade last week with regard to education and OTAB. More importantly, I listened to what they had to say, because I think that's important when we're looking at the priorities with regard to the business sector, especially since we need its help. They're very much concerned about the voting on the OTAB board and whether, if the two major training partners—we're now talking about business and labour—were to come to some kind of a deadlock position as we've seen in other government bodies in the not-too-recent past, which I think I made aware during debate on this in the House, the minister is going to look at a double majority process.

Is that something that you would consider with regard to the final consensus so we can get on with things and not have some delay? Are you going to be looking at some kind of process so that we don't end up in deadlock?

Hon Mr Allen: As a matter of fact, the partners are discussing that issue at this very moment. Yes, we are considering various options. You may know that the Canadian Labour Force Development Board functions on a consensus basis but does have a backup provision which makes it possible to have

votes that can break deadlocks or that can forestall one part of the board from ganging up on another part of the board. They've never had to use it, by the way, which is really interesting. They've never had to use it, but it's important to have those mechanisms in place so that decision-making can be expedited.

Mrs Cunningham: Now I've got a question with regard to the administration of the training board itself. I guess the question here would be, will the administration of the training board, such as hiring staff for the day-to-day operation of that board and the reporting structure, be made by the regional board? Can that ever be made by any of the regional boards, basically to probably maintain their own autonomy, to put it bluntly, or will it always be made by the OTAB board itself? Will there be some hiring administration, day-to-day administration, made by regional boards?

Hon Mr Allen: I thought at first you were asking a question about the hiring of the provincial board itself and who would be responsible for that. I gather that's not the question; the question is whether hiring of staff to operate the offices of regional boards would be done by OTAB or would be done by the local boards.

My assumption has always been that while the broad guidelines for the operation of local boards would derive from OTAB after a discussion with local interests and that the representation would be worked out in a similar way, actual decisions about those specifics of operation at the local board level would be done at the local level.

1500

Ms Swarbrick: Mr Minister, it's my understanding that you and our government have deliberately chosen a very different type of involvement for the partners—labour, employers, community equity groups and educators—than other jurisdictions have, that you're effectively giving them operational control rather than simply having them operate as an advisory body.

I think, as some members of the opposition were referring to, there's no doubt that when you do that, there are greater process problems that can take a longer time to work out. I'm wondering if you can comment on why you've deliberately chosen to do that and why you think it's important to operate in that way.

Hon Mr Allen: I think it's interesting and instructive to note that the two larger provinces in the federation have both decided to go for boards that have decision-making responsibilities and operational responsibilities whereas it's tending to be the smaller provinces that are going for the advisory bodies. I think there are good reasons for that.

I think that if you're going to involve responsible people who are on the ground with respect to training—real employers, real sort of labouring folk, people involved in education and training who spend their whole lives at it, people who are among the various entry, re-entry groups that know what they need—it's important to give them some real decision-making powers with regard to their future.

The notion that somehow that might be improper, I don't think I hear the opposition parties saying that's improper. I think I hear Mr Ramsay in particular suggesting that tactically, for a period of time, he would prefer to see an advisory

rather than a decision-making body. But I haven't heard anybody say there was something improper or unwise about giving people who are involved in the training world and in need of training and delivering training, like employers are—involving them in substantive decision-making around real programs. I don't see a problem in that and I still remain to be convinced that it can't work.

Clearly, when you already have in Ontario an Ontario section of the Canadian Steel Trade and Employment Congress doing an employer-employee, labour-management bipartite adjustment training structure and doing it very well, I don't see why that model can't be as good a model as any other for OTAB. I don't see why the training council that we've put in place in the electronics and electronics industry, which is working famously, isn't the example that we use as to how labour and management can work together on OTAB, likewise in the auto parts industry and likewise in tourism.

The examples are there. This kind of partnership can work in terms of real decision-making about the allocation of real dollars and real programs. I don't think it's a leap of faith, I say to the member for Timiskaming. We've got enough proof; we've got lots of examples in hand. The people in Ontario can do this. They're mature people. They can handle this and I'm prepared to let them do it.

The Chair: Thank you. It's 3:01. I don't know if you're prepared to stay or capable of staying any longer. If you are, I'm sure there's more discussion that the committee would like to have taking place. If you're not, however, we understand that you will try to make yourself available during the course of the next three or four weeks.

Hon Mr Allen: You know I'd be happy to. I do have to go. I've got a number of things I have to get under way this afternoon.

The Chair: Okay, Mr Allen, the committee thanks you.

Hon Mr Allen: Can I just say thank you very much for your questions. They're all very helpful and perceptive and I know they come out from all sides of discussions that have been had with various of these partners as well. I look forward to hearing the rest of the questions and having another opportunity to respond later on.

The Chair: Thank you, sir. Ms Alboim, are you going to stay here?

Ms Naomi Alboim: Yes.

The Chair: We're scheduled to sit until 5 o'clock. That gives us two hours. I'll do my best to try to make sure the time is evenly distributed, presuming that there's going to be some scattering of questions. Ms Alboim first.

Ms Alboim proposes, in addition to responding to any questions, to do a technical briefing of the legislation and a rundown of the bill on a clause-by-clause basis, subject of course to the committee's approval. Everybody agrees that's appropriate? Thank you.

Mr Offer: Could I have an idea as to the time?

Ms Alboim: About 45 minutes, and then open for questions.

The Chair: Everybody's in agreement. I appreciate that.

Ms Alboim: I'm assuming that everybody has a copy of the bill in front of them. What I thought I would do is run through as briefly as I can each of the sections and perhaps

highlight the ones that perhaps are worth highlighting more than some of the more standard ones.

In terms of the first section, the purposes of the act, that sets out the overall purpose of the legislation and sets the tone for the framework of the legislation. OTAB is being created by legislation to establish a labour force training and adjustment system in which the consumers of labour market programs and services play a leadership role in the development, delivery and evaluation of labour force training and adjustment programs and services. It's to be consumer-led and it's to be designed to meet the priorities and needs of employers, workers and potential workers, and also to build in the expertise of educators and trainers who have been involved in the delivery of training and adjustment programs and services.

The second part of that first clause sets out the second purpose, which recognizes the interdependency of both the economic and social objectives, and it has two parts. The first is to give Ontario's employers, workers and potential workers access to publicly funded labour force development programs and the second is to ensure that those programs in fact lead to enhanced skill levels, improved productivity, quality, innovation and timeliness and the improvement of lives of workers and potential workers.

Those improvements will result in improved portability of skills, mobility, skills for life and work, enhanced marketability and enhanced income. Both aspects of this second purpose are to be achieved in the context of a competitive Canadian global economy and in the context of a fair and just society.

The third part of that sets out the issue of equity, and in here we refer to equity both in terms of access and in terms of outcome. The third purpose has a role in the achievement of the objective of full access by Ontario's workers and potential workers to both labour force development programs and to the labour force itself. This will include the recognition of different barriers to participation in labour force development and the different supports necessary for different groups.

The fourth purpose is to ensure that labour force development programs and services are designed and delivered within a framework that is consistent with the economic and social policies of the government, including the government's labour market policies. The promotion of Ontario's linguistic duality includes recognition of the special rights and needs of Ontario's francophone population, and the recognition and support of the diversity and pluralism of Ontario's population includes recognition of the variety of ages, geographic areas, racial and ethnic backgrounds which make up Ontario's population, recognition of both genders and recognition of those who are physically or developmentally challenged.

I think the definitions are pretty self-explanatory. I won't go through those, other than to say that the definition of "labour force development programs and services" is not an inclusive one but makes it clear that training and adjustment in this sense also include those already in the labour force and those wanting to enter or re-enter the labour force.

Section 3 in the definitions just allows for OTAB to be created as a corporation. It'll be easier for OTAB to carry out its functions as a corporation than in an unincorporated state, such as an association. For example, that would allow OTAB to be able to enter into contracts in its own name.

The objects section of the bill, which I'll refer to now, really sets out what the corporation is intended to do. This is one of the sections the minister spoke to earlier. This section was developed through an intense consultative process with the labour market partners and reflects their diverse expectations.

1510

The first states clearly that OTAB is to oversee labour force development programs and services in both the public and the private sectors. "Public sector" in this case means the broader public sector, which includes colleges, universities, hospitals, municipalities and school boards. OTAB will have the power to design, provide, promote, support, fund, coordinate and evaluate its own programs and services and will also have a similar but somewhat reduced role in terms of promoting, supporting, funding, coordinating and evaluating others' programs and services.

Second, OTAB will carry out research and development concerning all aspects of labour force development, and that could include, for example, collection of labour force development data, research into future labour force development needs, research into future labour force training and adjustment programs, development of best practices and innovative methods.

Third, OTAB is also to develop a labour market information base, and that will be based on information from within Ontario, other provinces or national or international information. Currently there is a wide variety of information collected by a wide variety of levels of government and other institutions, but it is not coordinated in any specific way.

Fourth, aside from its operational responsibilities, OTAB will also have advisory responsibilities to government.

The fifth area is a clause that sets out that OTAB is to seek to ensure two main aspects of labour force development programs and services. Both aspects are in the context of the competitive Canadian and global economies and in the context of a fair and just society. The first is that these programs are to lead to the enhancement of skill levels, productivity, equality, innovation and timeliness; the second is to lead to the improvement of the lives of workers and potential workers.

Again, OTAB will have greater power to ensure these results in those programs and services over which it has more direct control. For those over which OTAB's control is more limited or indirect, it will only have the power by using its influence to seek to ensure these results.

The sixth area really recognizes the portability of skills, and OTAB will be responsible for participating in the development and promotion of common standards in occupational training, so as to enhance portability of skills and make the labour force more mobile. Those standards could, for example, have a sectoral or a national base or include inter-institutional certification.

The seventh one just allows OTAB to establish links with other labour force development boards at the national, international or local level.

The eighth allows for the board to establish links between programs and services that it has responsibility for to further promote preparedness for employment, training and lifelong learning but also to link those particular programs and services with those areas that it does not have direct responsibility for that continue to remain within the purview of, for example,

the Ministry of Community and Social Services or the Ministry of Education. OTAB will not have responsibility for the education system itself but will need to establish those linkages, for example, to facilitate the school-to-work transition.

In the ninth object, one of the goals of OTAB is to ensure the programs and services lead to the full participation of all workers and potential workers in the labour force and to labour force development programs and services and to ensure that the programs and services are designed and delivered in a way that recognizes different people's needs and circumstances, so there is both equity of access and equity of outcome. Again, OTAB will have greater power to ensure access in those programs over which it has direct control and will have an influencing role over those over which it does not have direct control.

The 10th talks about the need to identify and seek to eliminate systemic and other discriminatory barriers, and the 11th talks about recognizing the accommodation needs of people with disabilities. This requirement is consistent with that found in the Human Rights Code. OTAB is to seek to ensure that the special needs of people with disabilities are accommodated without undue hardship on the person responsible for accommodating those needs; again, the differentiation between what it can do with those programs over which it has direct control and those programs over which it will have an influencing role.

The 12th emphasizes again that OTAB is to be demand-driven and not supply-driven. Part of OTAB's mandate and powers will be to work towards the design, delivery and evaluation of labour force programs and services from the point of view of the users of the programs and services, the employers, workers and potential workers of Ontario. This includes all employers, workers and potential workers, not just those represented on the board of directors and not just those in specific sectors or in organized workplaces. OTAB is to seek to ensure that the needs and priorities of employers, workers and potential workers are considered in all aspects of the design, delivery and evaluation of those programs and services.

The 13th: Part of OTAB's mandate is to work towards effective and efficient labour force development programs and services. OTAB is to seek to ensure that labour force development programs and services achieve the best results and achieve the best returns on investments. To work towards the best results and returns, OTAB will have the power to use a variety of methods. Each of these methods, however, is to be fully and effectively evaluated in all respects, including cost-effectiveness. Again, OTAB will have a greater power to ensure those best results and returns over programs over which it has direct responsibility.

The 14th: Labour force development will not succeed without investment that is sustainable and appropriate. OTAB will have the power to promote appropriate and sustainable levels of private investment in labour force development. It will not have authorities beyond the promotion of those levels of investment.

The 15th: OTAB is to make effective use of the full range of Ontario's diverse educational and training resources. That would include colleges, universities, school boards, private

vocational schools, private trainers, employer-based trainers and community-based trainers.

The 16th: OTAB is to seek to ensure the strength of Ontario's publicly funded education systems, but only within the scope of OTAB's operations. The government has committed a lot to the publicly funded infrastructure and it's an important object of government to ensure the ongoing strength of that infrastructure. There are many different vehicles possible, however, by which this can be done, from direct funding by government to restructuring requirements by government. OTAB is to work towards ensuring the strength of the publicly funded education systems, but cannot be expected to fully ensure anything that is not directly under its own authority.

In the 17th, OTAB is to promote Ontario's linguistic duality and to take into account the training needs of Ontario's francophone community. This is limited to be only in the context of labour force development programs and services. This object is consistent with one of the purposes of the legislation, which is to ensure that labour force development programs and services are designed and delivered within a framework that promotes Ontario's linguistic duality, and that's cross-referenced to an earlier clause.

The 18th is to recognize and support the diversity and pluralism of Ontario's population. Again, this is limited to be only in the context of labour force development programs and services and again is consistent with one of the earlier clauses.

The next section deals particularly with the criteria or limitations which govern OTAB in carrying out its objects. The first one is that OTAB must operate in a manner consistent with the economic and social policies of the government, and that's clearly consistent with one of the earlier clauses. It will operate within an accountability framework of the government of Ontario. This is an important one, particularly given some of the questions that have already been raised.

There are several accountability measures set out in the legislation, including section 7, which I will get to: accountability in owning real property and in borrowing money; section 23, accountability in investment; sections 24, 25 and 27, dealing with fiscal accountability; sections 26 and 28, operational accountability; and section 17, human resource accountability.

The third criterion is that in carrying out its objects, OTAB is to distribute funding of labour force development programs and services to all regions of Ontario in a fair and equitable manner, both within and between the regions.

The fourth talks about developing a functioning partnership. This is consistent with one of the purposes of the act, which is to enable all the labour market partners to play a significant role in the design and delivery of labour force development programs and services. It's also consistent with one of OTAB's objects, which is to seek to ensure that the needs and priorities of all Ontario's employers, workers and potential workers are considered in the design, delivery and evaluation of labour force development programs and services. Perhaps most importantly, it is consistent with the obligation on the directors of OTAB to act in the public interest, which is cross-referenced to section 14, which comes further on in the bill.

1520

Minister's directives: This allows the minister to issue directives in those limited cases relating to matters within OTAB's objects and can be issued only concerning matters that, in the minister's opinion, are of significant public interest. This section, again, adds to the accountability framework, given that OTAB will be an agency of government.

The next section makes it clear that it's the chief executive officer, not the directors, who is to implement the minister's directives and do so promptly and efficiently. This is consistent with the overall structure of OTAB, where OTAB's directors are responsible for the overall policy direction of OTAB but it is the chief executive officer who is responsible for the operations and implementation of the overall policy direction.

OTAB is going to be a crown agency and, as such, it can undertake activities solely on behalf of the crown. Although OTAB has independence to a certain degree from the government, the government is ultimately responsible for its activities. As a crown agency, OTAB will be subject to all the legislation relating to crown agencies, including the Freedom of Information and Protection of Privacy Act and the French Language Services Act.

The capacity and powers of the board: OTAB is created as a corporation under the act. Corporations have legal powers equivalent to that of a person. This section gives OTAB all the powers of a person, however, subject to any limitations set out in the act. There are several limitations listed in section 4, where OTAB has only those objects given to it by the act; section 5, where the minister may issue directives to OTAB which must be obeyed; section 7, limitations on the holding of real property and on the borrowing of money; section 23, limitations on investment; section 25, the minister must approve the annual fiscal estimates; section 26, the minister must approve OTAB's annual and multi-year plans; section 27, OTAB must have an approved auditing system and submit annual audits for the minister's approval; and section 28, OTAB must submit an annual report to the minister.

I think the section on real property is self-evident. The section on borrowing is self-evident. All these are limitations on the governing body's powers, where they cannot borrow without getting prior approval from the cabinet and the Lieutenant Governor. Subsection 7(4) is likely self-evident.

I should probably address the application of the Corporations Act for a minute. The Corporations Act is a general act which sets out the establishment and powers of and procedures to be followed by corporations in Ontario. OTAB is not being established under the Corporations Act; it's being established under this act, and its powers and procedures will be set out in this act. OTAB will have only those powers given to it by this act and will be subject to the procedures and regulations set out in this act.

To avoid any conflict between this act and the Corporations Act and to ensure that OTAB has only those powers and procedures set out in this act, the provisions of the Corporations Act will not apply to OTAB. The one exception to this is the provisions of the Corporations Act dealing with directors' conflict of interest, which will apply to OTAB's directors. I will not go through the Corporations Information Act.

We come to section 9, the section that deals with directors. This section clarifies the role of the directors of OTAB. They are responsible for establishing OTAB's broad policy direction. This policy direction must be consistent, as I indicated before, with the government's overall economic and social policies, but OTAB's directors are not responsible for the direct implementation of OTAB's policies; that's the responsibility of OTAB's chief executive officer, and that's found in subsections 16(2) and 16(4). The directors are, however, responsible for ensuring that the chief executive officer implements their policies.

The next section, subsection 9(2), sets out the composition of the board of directors of OTAB, which I do not have to go through, but I just want to point out that this does not list all the directors. Additional directors are set out in sections 10 and 11. Each director will be appointed by the Lieutenant Governor, as recommended by cabinet. Since they are appointed by the LGIC, they will be in the service of the crown, and their appointment can be terminated only by the Lieutenant Governor. Each director will represent a labour market partner, but will be required to act primarily in the public interest.

The next section deals with consultation. An essential element of OTAB is that it's to be made up of representatives of the people and organizations that are the users and providers of training and adjustment programs. Collectively, these are known as the labour market partners. To ensure that OTAB's directors represent these labour market partners, the partners will be consulted and will participate in the nomination process of the respective director or directors. Ultimately, reference committees for each labour partner group will be established which will participate in the selection process.

Criteria are then established. In recognition of the diverse nature of Ontario's population, the government has set out standard requirements for appointments to its agencies and boards. This section clarifies that the composition of OTAB's board of directors must comply with these requirements and that in its composition the importance of reflecting Ontario's linguistic duality, the diversity of Ontario's population and ensuring overall gender balance must be recognized.

I won't go through the terms of office or reappointment. Remuneration: It gives the government the power to pay directors for their services, and the amount each director will be paid will be determined by the Lieutenant Governor and cabinet.

I won't go through vacancies. Temporary vacancies, we thought, were important, specifically given there may be directors who take temporary leaves of absence, whether for parental leave, pregnancy leave or sick leave. This section gives the Lieutenant Governor the power to appoint a temporary replacement for a director who has taken a leave of absence and the replacement is appointed as a director only for the length of the leave.

In terms of alternates, this is also one that I would like to highlight, because it deals with a director who has a disability. Whether that individual is representing people with disabilities or not is irrelevant. If a director is a person with a disability, he or she may request the Lieutenant Governor to appoint an alternate director to act as a director on his or her behalf when he or she is absent or unable to act. This section gives the Lieutenant Governor the power to make this

alternate director appointment, and this was specifically put into the legislation as a method of recognizing and accommodating the special needs of people with disabilities.

The consultation section applies to the reappointment, to the filling of vacancies, temporary vacancies and to the appointment of alternates.

I will not go through acting co-chair. I will talk, however, about the additional director. Discussions have been ongoing for some time now between staff at the OTAB project and representatives of the aboriginal people concerning the participation of aboriginal people in OTAB. This section permits the addition of an OTAB director to represent aboriginal people if so requested by the recognized representatives of aboriginal people. Whether aboriginal people will participate in OTAB, and if so, the nature of that participation, has not yet been determined. This section permits flexibility as to whether the request for a representative of the aboriginal people will be made to the LGIC through the minister, or to the minister only.

Consultation: Any director who represents aboriginal people will be chosen in consultation with recognized representatives of aboriginal people.

Additional directors also allows for directors representing the federal and Ontario governments. These additional directors will not be appointed by the LGIC; they will be appointed by the minister responsible for OTAB.

There will also be a director representing the municipal level of government in Ontario. This additional director will not be appointed by the LGIC, but by the minister responsible for OTAB, and this appointment will be done in consultation with an organization representing the municipalities of Ontario. It's anticipated this will be a representative who does not hold an elected position on a municipal board or council and who is selected through a process organized by the Association of Municipalities of Ontario. None of the directors for any of the three levels of government will be voting directors. They will not be entitled to receive remuneration for their time or services.

The meetings clause: Really, the only thing I want to add there is that this is a minimum only and meetings can be held more frequently on the joint call of co-chairs. Similarly with public meetings, the act requires two meetings a year to be open to the public, but this is a minimum, and the directors may have more meetings open to the public if they so wish.

1530

The quorum for meetings of directors will be set out in regulations. Due to the special nature of the membership of the directors and the diversity of representation of labour market partners, the quorum for board meetings will be important and therefore the government will set out the quorum in the regulations.

Bylaws: It's common for directors of a corporation to establish bylaws setting out the practice and procedure of the board of directors and of the corporation. This section empowers the directors of OTAB to establish its own bylaws, and the bylaws could cover, for example, frequency of meetings, procedures at meetings and procedures for carrying out of directors' activities. This bylaw-making power is subject to any regulations made under clause 30(1)(b) of the act, which sets out the decision-making procedure for the directors' meetings.

Section 14 is a very important one as well. The directors of OTAB are chosen in consultation with the labour market partners and represent those partners. However, OTAB is a public agency with a mandate for labour market development and labour force training and adjustment for all of Ontario. This section makes it clear that although each director is to take into account the needs and perspectives of the group the director represents, the director's primary duty is to act in the general public interest.

I alluded earlier to the conflict-of-interest section, where section 71 of the Corporations Act will apply. The act also requires the directors to pass bylaws dealing with conflict of interest which may impose restrictions on directors' activities, and due to the special nature of the membership of the directors, conflicts may arise in situations not covered by the Corporations Act. It's for this reason that we are requiring the directors of OTAB to establish bylaws to deal with these particular situations.

The next section deals with the CEO and other employees. Section 16 establishes one chief executive officer for OTAB. That CEO will be appointed by the LG in council. The CEO will be a public servant and will be an employee of the crown. The directors of OTAB will be consulted before the chief executive officer is appointed, and the consultation can include actual participation in the selection process of the CEO.

The CEO is responsible for all of the management and operation of OTAB, and clearly, again, the duties of the chief executive officer are different from the responsibilities of the directors, who are to set the broad policy of OTAB. The chief executive officer is responsible to the directors, even though he or she is appointed by the Lieutenant Governor in Council and will be appointed for a term of appointment. I'll skip over a few here just to save some time. The chief executive officer will not be a director and will not have a right to vote at directors' meetings.

All the staff of OTAB will be civil servants appointed under the Public Service Act and the chief executive officer will have the ultimate responsibility for the staff of OTAB. Under the Public Service Act, employees appointed as civil servants ultimately report to a deputy minister. To ensure parallelism with the reporting structure under the Public Service Act, this section gives the chief executive officer the powers of a deputy minister over the staff of OTAB. This section also gives the chief executive officer the powers of a minister to appoint persons as public servants. I won't go through the delegation.

The local training and adjustment boards, councils and reference committees: As part of Ontario's labour force training and adjustment system, local training and adjustment boards will be established. These local boards will be established through a joint initiative between OTAB, the government of Ontario, the federal government and the Canadian Labour Force Development Board, which is an agency of the federal government. The development of these local boards cannot proceed until OTAB has been established. The criteria for their establishment, composition and operation will be set out in regulations which will be finalized after the enactment of this legislation. Local boards which are established in accordance with the regulations will be designated by OTAB, along with the federal Canadian Labour Force Development

Board, and will be subject to the provisions of the following subsections.

Once established in accordance with the regulations and designated by OTAB, local training and adjustment boards will have the powers and duties delegated to them by OTAB or assigned by the regulations. They may also have powers or duties assigned to them by the federal government, but that will not appear in the provincial regulations.

Local boards to which powers have been delegated by OTAB or assigned by regulations are responsible to the directors of OTAB with respect to those powers, and those powers again refer only to those powers assigned to it by OTAB, not necessarily the powers assigned to it by the federal government.

Regulations may be enacted setting out parameters for funding of local training and adjustment boards and OTAB may provide funding to the local boards in accordance with these regulations.

As far as councils are concerned, as part of its structure, OTAB may establish councils to provide research and advice to the directors of OTAB on specific labour force training and adjustment issues. These issues may include apprenticeship, workforce entry, re-entry, workplace sectoral training and labour adjustment. The development of the regulations setting out the criteria for establishing a composition of these councils will be developed by the government, however in consultation with OTAB, once OTAB is established.

Once established in accordance with the regs, the councils will have those powers and duties delegated to them by OTAB or assigned to them by regulation, and the purpose of the councils is to provide advice to the directors of OTAB on matters relating to labour force development within their specific mandate.

As subcommittees of OTAB, the councils are responsible and accountable to the directors of OTAB, and regulations may be enacted setting out the payment of remuneration and expenses to council members. OTAB has the power to pay remuneration and expenses in accordance with those regs.

Reference committees: Each of the labour market partners may establish reference committees to provide the liaison between a director and the labour market partner the director represents. The establishment and composition of these reference groups are to be in accordance with the regs enacted under this act. Once established, the reference groups will also be involved in the nomination process for the directors as set out in subsection 9(3), and funding may also be made available to the reference committees or to some of them.

In the miscellaneous section, the only one I will address right now is fees, and this section gives OTAB the power to collect fees for its services; for example, fees for the registration of apprenticeships. All fees that are to be collected must be set out in the regulations established by the Lieutenant Governor and cabinet.

I will not talk about surplus money or temporary investments. I think they are self-explanatory, as is fiscal year. The estimates section is important in that it requires OTAB to submit the necessary documentation for the estimates process. The documents are to be submitted for review and approval by the minister responsible for OTAB. Once the minister approves them, the minister will take OTAB's estimates forward in the

estimates process. This is part of the funding and accountability process between OTAB and the government.

Similarly, OTAB will be required to submit an annual plan for review and approval. This is to be done in conjunction with the estimates process. Again, this is part of the accountability process. Similarly with the multi-year plan: OTAB will be required to submit a multi-year plan for review and approval to the minister responsible for OTAB. The frequency of submission and the duration of the plan will be set out in an MOU between government and OTAB. Generally, multi-year plans range from three to five years in duration. This is part of the accountability framework.

OTAB is required to set up and carry out an accounting system that meets the approval of the minister. OTAB is required to have annual audits. OTAB shall make its audits, reports and background material available to the Provincial Auditor. The minister has the power to require OTAB's books to be audited by the Provincial Auditor or an auditor chosen by the minister.

OTAB must file an annual report. The minister can require OTAB's annual report to contain specific information. The minister is required to submit OTAB's annual report to the Lieutenant Governor in Council and then table the report in the assembly. The minister has the power to require additional reports from OTAB. All of this is part of the accountability framework that is in the legislation to ensure that OTAB is accountable to government.

Section 29 specifies that it is the government of Ontario and not OTAB that may enter into agreements with the government of Canada with respect to labour force development or any other matter governed by this act.

The last section, regulations, is all referenced in sections earlier that I spoke to. The only thing I want to highlight here is that section gives the Lieutenant Governor in Council the power to make regulations, not OTAB. It does require that OTAB be consulted before regulation is made under this act, but it is the power of the Lieutenant Governor in Council to make those regulations.

1540

The Chair: Now we have 14 minutes per caucus. Mr Offer, Mr McGuinty.

Mr Offer: I'll start off with a quick question. Thank you for the runthrough of the legislation. Just as a matter of clarification, you said the CEO couldn't vote and I'm wondering if you can tell me where that is or how that is.

Ms Alboim: The CEO is not considered a director, and only directors vote. The directors are named only in sections 9, 10 and 11. Anything beyond that, it means they're not a director and only directors have votes. So the CEO does not have a vote.

Mr Offer: Thank you. It seems an answer by way of elimination. I don't know, I think I would like to have seen something a little bit more specific than that.

The Chair: Please let me correct myself. I said 14 minutes per caucus. I don't know where I got that figure.

Mr Offer: How many?

The Chair: It was just a bizarre thing for me to say. I meant 26 minutes per caucus.

Mr Offer: I'll speed it up. A second question I'd like to ask deals with, if you can help us, the funding of this structure. What is going to be allocated towards this agency in terms of dollars?

Ms Alboim: The precise figure is not yet determined, because the precise listing of programs has not yet been determined, but it is going to be between \$400 million and \$500 million worth of programs and funding allocated to this agency. Those are provincial dollars.

Mr Offer: There are a number of questions that will stem from that. But my third question, before we may get into that in a little bit more detail, is: How is this going to work? What's the vision with respect to OTAB? How is this supposed to work?

Ms Alboim: There will be a governing body comprised of the directors mentioned in the act, who will have the responsibility for providing the policy direction for the board as an agency. They will have to determine the broad policies based on their assessment of the needs of the consumers of the training and adjustment system and based on the information collected in the labour market, needs analysis conducted by staff at the agency, the forecasting of training needs that is established. They will, however, have to operate within the policy framework and within the overarching framework established for it by government.

They will develop a multi-year plan, an annual plan, based on the research they have done and based on the analysis of the needs, and put forward that plan to government as to what they intend to do over the coming period of time. The government would approve that plan or not approve that plan, depending on whether it really did meet the objectives of government, whether it did fit within the policy framework and accountability framework established for it by government. It would take those plans forward and seek the dollars to ensure that the board could actually undertake what it is planning to undertake and then it would give that approval back to the board.

It would then be up to the CEO, as the head of the agency, to actually implement those plans as established by the governing body, as opposed to the governing body then going out to implement. There would be a staff reporting to that CEO who would then be responsible for actually implementing the policy direction as approved by the governing body in government.

Mr Offer: So you have the directors of OTAB who will or possibly will devise a certain plan dealing with training, retraining or adjustment. They then have to ask the government for money. They then have to ask the government permission to implement the plan. Then they ask the local boards to put the plans on the ground so to speak.

Ms Alboim: There are several things that need to be clarified. First of all, the role of OTAB and the local boards is still something very much that we are working on with the other three partners in terms of what will be directly implemented provincially and what will be implemented at a local level. I think that's something that needs further discussion.

The board will have an operating budget. It's not as if it's going to have to go asking for every nickel and dime from the provincial government, but the annual estimates will clearly have to be approved by government. Again, government is

not going to approve the nitty-gritty implementation. That will be up to the responsibility of OTAB. Government will be looking at the plan to ensure that the broad policy objectives are in fact being met, but not in terms of the actual design of an individual program, for example. That will be the responsibility of the board.

Mr Offer: I know that my colleague Mr McGuinty has some questions, but I'd like to try to get a better feel for the interrelationship between the broad policy mandate of government and the actual programming by OTAB. It would seem to me that there probably isn't a government that we can think of that wouldn't say, "Devise a training adjustment program to meet the needs of the next century," type of thing. Then it's their ball.

Is that how it's envisaged, that you would have something broad in nature like that and then the OTAB organization would start to say, "Well, this is the type of training plan that falls within that broad policy framework"? That would, of course, fall within the broad policy framework of the government.

Ms Alboim: If we can differentiate between labour market policy on the one hand and program policy on the other hand, maybe that's an easier way to describe it. For example, government would clearly be responsible for determining the broad labour market policy within which OTAB will work and will set out some of the objectives that it has. It would likely not provide great detail in terms of program design, program eligibility criteria, program delivery specifics. That would be up to the board to implement and to design. So if you can differentiate between program policy and labour market policy, that would be useful.

Mr Dalton McGuinty (Ottawa South): First of all, with respect to directors, how much work do you envision directors doing if someone's appointed a director of OTAB? Is it a full-time job? Is it a part-time job? How many hours a month?

Ms Alboim: Again, this will probably vary over time and it might be very intense at the early stages. Then, as things are up and running, it may require less time, except for some critical periods etc. So we're talking averages here. We are not talking about a full-time position; we are talking about a part-time responsibility. We are talking about a policy board, as opposed to a program implementation board, which will require a good commitment of time, but not on a full-time basis. For example, at the early stages one could probably expect four to five days a month of a director; later on it might be a little bit less frequent.

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Mr McGuinty: One of the concerns that has been raised, time and time again, is that in the listing of the number of people who are to act as directors in the various categories there is no inclusion of representatives of small business or unorganized labour. Is there anything in the act which somehow surmounts that and mandates that there be inclusion from that group?

Ms Alboim: First of all, in terms of the business representation, we have provided to the business steering committee, which is working hard on the development of possible nominations to the board, a listing of criteria we would like it to look at. Clearly, the representation of small business is

there. The business community is very aware of the need to ensure that the business representatives on the board themselves reflect the face of Ontario and the structure of the economy etc, but also that they as a group of business people have to go beyond the representation of a particular sector from which they come or a particular geographic area from which they come. I think that is built into the nomination process and certainly will be looked at very carefully by government when reviewing those nominations coming in.

Mr McGuinty: That nomination process, though, is not governed by this bill. Is that correct?

Ms Alboim: It says that the appointments are made by government but based on a consultative process with representatives of the various sectors or constituencies. That is in the bill. We have put into place a fairly elaborate consultative process with the labour market partners for them to submit nominations to government for government's review.

Mr McGuinty: Right. I want to come back to my question again. I don't want to be stubborn about this, but this is important. There's nothing—you can correct me if I'm wrong—within this bill in black and white that mandates the inclusion in the 22 directors under section 9 that a representative of small business or unorganized labour be there.

Ms Alboim: There is nothing in black and white that says specifically small business or unorganized workers. There are things in black and white that say that the board has to reflect the face of Ontario, all sectors, diversity, pluralism, linguistic duality, gender balance, geographic distribution etc.

Mr McGuinty: I move on to section 10. It talks about an additional director being appointed as a representative of aboriginal people. In subsection (3) it makes reference to that appointment being made in consultation with "recognized representatives of aboriginal people." What is your interpretation of "recognized representatives"?

Ms Alboim: We have had discussions with a variety of political territorial organizations through the aboriginal community—with the Chiefs of Ontario, the Ontario Native Women's Association, ONWA, the Ontario Federation of Indian Friendship Centres, the Ontario Métis and Aboriginal Association, OMAA, a variety of organizations—to come up with the appropriate wording for this section, and this was the wording that they suggested to be in this bill. The political organizations are the ones we would consult with to seek their involvement.

Mr McGuinty: If I were to ask which groups constitute recognized representatives, could you provide me with a list?

Ms Alboim: I could provide you with a list of the organizations in the aboriginal community with which we have been discussing OTAB.

Mr McGuinty: I'd ask you to do that then, please.

Ms Alboim: Sure.

Mr McGuinty: Subsection 12(3) talks about a quorum. There's a very concerted effort in subsection 9(2) to appoint directors as representatives of various groups. Then there's the quorum, and all we do when we talk about a quorum is make reference to a number without reference to the representation aspect. You can correct me if I'm wrong, but could this mean, for instance, that we could have—let's say the

quorum is 13 and that quorum is duly constituted, it's there to carry out the business of the board and it's making important decisions but at the time we have no women, if that is possible, making these decisions. Should the quorum not consider representation in addition to merely a number?

Ms Alboim: Normally, issues of quorum are left to an organization to deal with in its bylaws. It's very unusual that issues of quorum would be either in legislation or in regulations. The reason why we have incorporated here for regulations is precisely because of the diverse representation on the board, the multipartite nature of the board, and that it perhaps needs further discussion and consultation about a quorum requirement beyond simply a number. That's precisely why it is here for further discussion.

Mr McGuinty: Those are my questions.

Mr Ramsay: Welcome, Naomi. You should be busy for the next few weeks, I suppose, with this. To start, could you give us a bit of an update of where OTAB is, how the nomination process for directors is going and where you are with it today?

Ms Alboim: In terms of the nomination process, we have received nominations from the education training community, from people representing women, from people representing people with disabilities, racial minorities, the francophone community; we have not yet received nominations from either business or labour. They are both on the point of readiness. Labour is now doing the work that it has to do.

As you can imagine, it is difficult for that community to come up with just eight seats at the table, given the number of people who want to be at the table, and they are undertaking the process now to select their people to put forward for nomination. In fact, we do have one of the eight nominations already forward from the labour community, from the building trades council, and we are still awaiting the seven other nominations to come forward from the Ontario Federation of Labour.

The business community has conducted a very active outreach recruitment process. They have interviewed over 55 people as a steering committee. They've reduced those numbers down to a group of people they feel very comfortable with as possible nominees. They are now doing the kind of work internally to come out with the kind of geographic distribution, sector distribution, gender distribution etc that we have asked them to do of the remaining number they have come up with.

They are very interested in further discussions on decision-making processes so that they feel assured that their concerns will be well addressed, and we are making good progress in that area. My assumption is that we will be able to resolve that issue among the various labour market partners to a degree that is satisfactory to the business community so that it will be providing us with its names very soon.

Mr Ramsay: Okay. I'd like to talk a little more about how inclusive OTAB is and where it tends to exclude some people in society. Just to get it clear, on the labour worker side, is that limited to the private sector? Will there be a public sector union representative?

Ms Alboim: We have not limited the nominations to either business or labour as to which particular sectors should or

should not be included in their nominations to government. It is up to those two communities to determine what makes most sense to them in terms of their proposed nominations. Those nominations will then be reviewed by government.

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Mr Ramsay: It might be something to look at, depending on what comes forward. The public sector is about 10% of our economy, so it might be something for sure to look at. It's important whether or not it is going to be included on the labour side, because then, because of the limitation of the representation from the workers' side from this legislation, that it has to be unionized workers, we're limiting the worker representation to either 20% or 30% of workers in Ontario since it's from the unionized pool of workers. To me, that's still a concern, and I look at how inclusive this legislation is and I see how we've really bent over backwards, as we should, to make sure everybody's included, even to the point where you've now allowed a position that could be filled by a native person, which I think is excellent, and we've got francophone and other minorities there, and of course gender equity should be all the way through it, and it is, and we have a women's rep there also in addition. So I think we've got the fairness there.

But I look at these extra directors. I mean, francophones are 5% of the population of Ontario, and yes, they certainly should be recognized and on there, yet 70% of the workers of Ontario by and large don't have a say there. One could say there is some union representation in certain sectors of the economy that will cover that, and I could accept that, because it really doesn't matter to me whether or not some of those people are in a unionized workplace, but what I'm concerned about is those areas of the economy that traditionally, for whatever reason, have not been represented by organized labour—agriculture is a good example—that won't find a place at the OTAB board to bring forward their needs.

This isn't ideology. This is really just trying to make sure that if this thing's to work, every man and woman who enjoys a position in the workplace of Ontario is able to be represented at the OTAB board. I just think that's so important. I don't know how much more we can stress that, and I think there are ways to do that. I know I've asked the minister in the House sometimes and he says, "Well, it's difficult dealing with the unorganized workforce." But surely there are associations and groups of workers out there. Usually if any group of any sort of size finds it has to form some sort of association, if it's not a union, it finds some other mechanism. Surely we could be tapping in to those different groups to say, "Gee, some of the new industries that aren't organized yet, we need your input into this to see what your needs are, because you're in a tremendous growth industry, and until your industry gets unionized so that we'd be able to get something in a more orderly fashion, we'd like to have your say as to what your needs are."

I just can't stress that more, that you'd have a lot less opposition from where the opposition is if there was a sense of fairness and inclusiveness there, that really everybody in Ontario who potentially could require training had a place at the OTAB board. Then everybody could say: "Yes, that's my

board. I'm on there too; my people are on there; everybody's on there. We're all going to work together."

But the perception is that it's—especially on that workers' side, and it could be somewhat on the business side unless we insist. On the business side you're kind of insisting that they represent the full spectrum of business operation because small business is important. A lot of those people aren't organized yet. I think we have to bend over backwards again to make sure we do have representation from small business, because there again 80% of the workforce is being generated from that particular sector. The same on the workers' side. I think we want to make sure we've got all the inputs we can have from workers in Ontario to make sure it's a success.

Ms Alboim: If I can address several of your points, first of all, just in terms of the public-private issue, which I think you will probably hear a lot of during the committee hearings, the bill clearly identifies that OTAB will have responsibility for training and adjustment in both the private sector and the public sector, and the public sector is primarily the broader public sector. However, the government has made it very clear to all the labour market partners that the primary initial focus of OTAB will be training in the private sector and there will be a parallel process, which is now in fact under way under the leadership of my colleague Jim Thomas, who is the deputy of the broader public sector initiative, to work with BPS employers and workers to develop some strategies for training and adjustment in that sector. As those strategies are developed, as those initiatives are developed, as OTAB gains a little bit more expertise and experience in the private sector, those initiatives will ultimately be integrated into OTAB, but not right at the very outset. The beginning will be a primary private-sector orientation. That's first of all.

Second of all—you will hear much of this during the presentations—everybody wants to have a seat on the governing body; every sector, every geographic area, every special interest group wants to have a seat. I think that number one, obviously it's impossible for everybody to have a seat, but what's really important is to emphasize the section of the act that states that each of the directors has a primary responsibility to act in the public interest and that each of the members of the governing body is not acting with primary accountability to their particular sector or their particular organization or their particular company, but really their primary orientation is in the public interest.

That being said, I think that it is also important to emphasize that in terms of the representation of the needs, there's a difference between individuals at the table and ensuring that the needs of all Ontarians are brought to the table. The focus of OTAB is to ensure that the needs of all workers, all employers, all potential workers are brought to the table and addressed in as comprehensive a way as possible by the agency as a whole.

The issue of unorganized workers has been one that has been raised for a long time. If you look at other jurisdictions, it's interesting to note that in all of the western European countries that have established boards—in Holland, in Germany, in Sweden—the workers are represented by the organized labour movement.

If you look at the Canadian Labour Force Development Board, the decision was taken as well that workers should be

represented by the labour movement. If you look across the country at the provinces that have established boards to date, workers have been represented by the labour movement. This is indicative of, I guess, an acceptance of the fact that the labour movement has traditionally brought forward the views of workers, not purely the views of their particular membership, and has looked at the best interests of workers and people in the workforce.

It's also felt, in terms of the composition of the board, that those people who are representing what we call the equity groups tend to represent those people who tend to be underrepresented in the workforce, in training programs and in the labour movement to a large extent. So they will be bringing forward the views and perspectives of unorganized workers.

We also feel that educators and trainers, who have been providing training to adults generally, will certainly be aware of the training needs of adult learners, whether they are working in organized firms or not. Also, the employers who will be sitting on the board will be bringing forward the training needs of their workers and people whom they want to hire and their own identification of training needs.

So the sense is that the composition of the board will allow for the needs of unorganized workers to be brought to the table and to be addressed whether or not there are actual unorganized worker reps on the actual board.

Mr Gary Carr (Oakville South): I appreciate hearing some of the answers from you. We appreciate it's a long afternoon going through this, but I appreciate getting the chance.

As I see it, this bill is really, taking a look at it, about jobs and that's what the whole intention is. I think everybody, on all sides of the House, realizes we have to have better skills and training in order to compete in the changing world. Everybody agrees on that—that's the easy part—but the tough questions are what are the types of current and emerging skills we're going to need to give the people of Ontario jobs. As our expert in the province—I know you laughed kiddingly, but you are now our expert—if you could talk to the public in a general sense, what would you say are the skills we're going to need so the people in the province are going to have jobs over the next five years?

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Ms Alboim: That question has been asked now in all our major newspapers and magazines and a lot of thinking has gone into it. It's interesting, actually, to see what the responses are.

The skills people are going to need are very generic skills that cut across all particular industries and all particular sectors. For example, starting from the most basic skills, people need to be literate. They need to be numerate. They need to know how to use computers and feel very comfortable in their computer skills. They need to communicate. They need to present. They need to be able to problem-solve. They need to be able to think analytically. They need to be able to work with teams.

Those are the kinds of generic skills people are talking about, given that we are hoping our economy is going to be much more in the kind of high value added kind of areas of our economy rather than in some of the more traditional areas where we have been focused in the past. Given the incredible

explosion of information technology, people are really going to have to collect data, understand data, analyse data and apply data, whether they are on the shop floor or in a downtown office building on Bay Street. It's those kinds of skills that cut across everything.

In addition to that, we know of some areas that are going to be growing in future, and those areas are, for example, the communications area, health services, some of the business services, some of the areas that are growing using additional knowledge skills rather than manual skills. Even the more manually oriented production jobs are going to require those other skills I spoke about, so that they can use computers and can problem-solve in teams; those kinds of things.

Mr Carr: I think you're right. Kimble and I had the great opportunity to go out to the opening of the training centre. Actually, Kimble opened it in the minister's absence. We had a great tour of a wonderful facility; it's in Oakville. The problem was, when we went out there, we went into one of the shops with some machines and they said, "The problem is, we get kids coming out of our high schools who can't do the math skills to run these machines and we spend a year teaching them the math skills."

We heard—and Anne sat on this last week—from colleges and universities and public education, the Ontario Secondary School Teachers' Federation, the trustees, who came in asking for more money. What you've outlined to me is a little bit different. I thought we would be giving some of the skills and training, advanced lathe operation or whatever.

You seem to be saying, "No, we're going to be teaching people basic mathematics," at a time when the public schools are saying—because there were a lot of questions on the role of the public schools, that they aren't producing kids who can read and write and do math skills—"If we just had more money, we could do it," and of course they're set up to do that. Now you're saying the skills we're going to be teaching them in large part are the skills they should be learning in high school: how to do computers, because quite frankly computer skills are learned at—you know, my son goes to computer class in grade 4 and helps me on Lotus and everything else.

What you're saying is that we're going to give them some of the generic skills. I didn't envision that's what OTAB was going to be. I thought it was going to be higher value added skills that we need to compete in a technical nature. You seem to be saying—I'll give you a chance to correct it if you're wrong—that a lot of the skills we're going to be giving them are math skills that they should be getting in the public schools.

Ms Alboim: I think it's a combination of the two. The fact of the matter is that we do have a large proportion of our workforce right now starting off at a different point. I hope the graduates of our school system now are starting off—they may not have the literacy skills or the numeracy skills. We have to invest in all our human resources, including those who are currently in the workforce who are facing adjustments of a technological kind or are facing adjustments because an industry is going through a different kind of adjustment period, and may have to learn and adapt their

skills so they can individually be competitive and therefore make a contribution to make our economy more competitive.

I think we're talking about both some catch-up skills that are required for people already in the workforce, but clearly we are also talking about high value added kinds of technological skills; there's no question about that. Of course, OTAB is going to have a responsibility in that area as well.

If you look at OTAB, we have talked about a variety of areas. Apprenticeship is certainly going to be something that OTAB will assume responsibility for. Some of the sectoral training initiatives are something that OTAB will be responsible for; workplace-based training in some of the technical skills areas as well as some of the catch-up skills.

Mr Carr: Perhaps I could interrupt just for a minute.

Ms Alboim: Sure.

Mr Carr: Time is limited. I don't want to be impolite in interrupting you, but I have a whole bunch of questions. I appreciate that. If I sort of jump in, don't think I'm trying to be impolite.

The problem I've got with that, just to get back to the point, is that I can see where people who have been working and never had an opportunity in grade 8 and have been working at the Ford Motor Co all their lives might not have some of the skills that are necessary, but the problem we're talking about—it hit me when, as I say, we were out with Kimble, that Sheridan College is the same. The kids who are coming out of our high schools don't have the skills to run these machines. It wouldn't be too bad if it was a small percentage, but they are saying a larger and larger proportion don't have the skills.

It seems like we're almost putting the cart before the horse. We do a great job, open this great centre, but here is a college that is now teaching skills that should be learned, quite frankly, probably in elementary school but at least before post-secondary school.

Without getting into some of these other areas, what do you say to the people who right now are saying we need to correct the education system? I appreciate what you're saying about some of the older workers who may not have it, but businesses are telling us and Sheridan College is telling us that it's the kids coming out of our public education system who don't have the skills that are necessary, and we have to start there, with the limited resources.

I just want to touch on this briefly; it's along the same lines. We also had the colleges coming in saying that 80% of the people who come out of our colleges get jobs. This used to be young people; it's not any more, because people are going back. In the colleges, they have a very high success rate of people coming out and getting jobs.

We heard from colleges last week that said, because of underfunding by the provincial government—and I don't want to get into that because I'm not doing it from the issue of slamming the government—we are now going to limit enrolment in colleges and universities.

Let's specifically talk about colleges. Because of lack of funding at a time when we're going to spend \$1 billion-plus retraining people, they seem to be saying: "We are doing a pretty good job; 80% of the people who are coming out are getting jobs, whether they be young people or people going

back for skills. Yet we don't have the money to give them education. We're going to limit enrolment. Then you're turning around"—meaning the government—"and setting up OTAB, which is going to take \$1 billion out. Can't we get some more funding to do some of these things, because we are being successful with a success rate of 80% of people in colleges getting jobs?"

What do you say to people who say that you're heading in that direction when we're underfunding our colleges and universities right now?

Ms Alboim: First of all, OTAB is not taking \$1 billion out of the system.

Mr Carr: What's the total going to be now, provincial \$500 million?

Ms Alboim: As I indicated before, between \$400 million and \$500 million, and that is not new money; those are existing dollars of existing programs.

Mr Carr: How much are the feds kicking in?

Ms Alboim: They put in about \$900 million.

Mr Carr: So it would be \$1 billion—

Ms Alboim: No, but the federal government is not putting its money into OTAB.

Mr Carr: I understand how it works.

Ms Alboim: I'm only talking about OTAB's money at this point in time, and OTAB's money is not new money; it's existing dollars, existing programs. By putting them together in perhaps a more rational kind of way, there will be economies of scale, so there will be funds available in ways that they weren't available before. But it's not as if OTAB is getting new money that is being taken away from the education system, and I think that's important to clarify.

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Mr Carr: Let me ask you this broad question on funding: With the money that you know is going to be there and the tremendous amount of work that needs to be done, is the funding that you see in place there enough for you to get the job done?

Ms Alboim: Asking a civil servant if there's enough money is like—

Mr Carr: Pretend we're not on Hansard and just give us the truth.

Ms Alboim: I think that the existing—

Mr Carr: The minister's not here. We won't tell him.

Ms Alboim: Right. I think the existing dollars can be more effectively used than they are being used now to achieve better results than are being achieved now.

Mr Carr: That's the whole issue. Last week, the Treasurer asked us to think about reallocating funds. We heard again from the colleges and universities that came in and said, "We've got a serious problem here; our computer equipment is outdated now," and I've heard this from some of the people saying, "We're training our kids on equipment that's outdated and yet we're spending more money in these new areas." That's just something to think about, but I want to get a little bit more technical, because I know time's running out, and get into some of the specific questions.

On page 6, subsection 5 says, "The directors shall be appointed to hold office for terms not exceeding three years and may be reappointed."

Say for example, for argument's sake, the government changes and Dalton becomes the new minister. Is there any provision to get rid of the people who would be there? Could a new minister come in and replace the people? Are there any provisions for them to be fired, for want of a better word?

Ms Alboim: All the directors are appointed by order in council. Orders in council can be revoked by cabinet. OIC is in some respects like an employment relationship. There has to be due cause for revoking an OIC or else the government is held potentially liable by the individual for revoking something without due cause. But they are OICs and OICs are revokable, so yes, a new government could come in and could determine that an OIC should be revoked.

Mr Carr: I look at the last part, at section 30, the regulations. The composition can change, so again a new government could come in and say: "You know, on the numbers there, colleges and universities need more representation, so we're going to increase them to five or six."

Ms Alboim: There would have to be an amendment to the legislation to change the composition. Which section are you referring to?

Mr Carr: The last one, the regulations. I thought I'd read under the—

Ms Alboim: You're talking about local boards.

Mr Carr: Yes. "The Lieutenant Government in Council may make regulations...respecting the establishment, composition and operation of local training and adjustment boards," so they could achieve—

Ms Alboim: In local boards that's done by regulation, so by changing the regulation, there can be a change in the composition. However, please remember that local boards are going to be joint creatures, federally and provincially, and will have responsibilities as regards both provincial programming and federal programming. So the regulations in this act relate to the powers, the duties, the responsibilities that local boards will have as they relate to provincial authorities as opposed to federal ones.

Mr Carr: Getting back to the issue of what skills we're going to need, maybe you can run through for me how you see it working. I'm a small businessperson who employs 15 people. I've run into businesses like this that don't have the skills necessary, even though it's hard to believe; last week we heard from Finance that unemployment this year is going to be at 11%, and you've got some businesses saying, "We can't find the skilled people we need." Say I'm a small businessperson in Oakville. I have 15 employees and I have identified some skills of some people I need. You've talked about how it's going to be pushed down, how the board is going to tell the communities what can be done in this legislation. How am I going to tell you what skills are needed, and how do you see the process? In very simple terms, could you explain how you would see me? What would I do to tell, ultimately the provincial government, but the local boards, "These are the skills I need"?

What assurances can you give to a sceptical public? I think the public is sceptical about any government coming in and doing it, whether it's NDP or Conservative or Liberal. They see it as a big bureaucracy. How are you going to allow, for want of better words, grass-roots input into the skills that are needed? Maybe you can run me that example to keep it simple. How do you see it working?

Ms Alboim: There are two different issues you're raising. One is, how will people be able to identify the needs they have so that that could be fed into the system so that the planning overall, in terms of local boards and the provincial board, is done recognizing what the real needs are rather than some made-up needs? The second issue is, how does an individual access a program that can address his or her particular needs? I think they're two different things.

In the first case, the expectation is that as part of the labour market forecasting responsibility that OTAB will have and that local boards will have, there will be a number of instruments potentially used. There will be survey instruments. Right now Statistics Canada does some work, the Canada Employment and Immigration Commission does some work, local CITCs do some work. There is a variety of agents in a variety of communities collecting data, but it is not coordinated in any comprehensive way, so it's not built from the ground up, which then really does lead the planning process.

What we are putting into place is a system at the local board level that will feed up to the provincial level, and doing this together with CEIC so there is one consistent way of gathering those data for both levels of government that will be effective to identify what the needs are so the planning can take place, so that local boards, for example, can make recommendations as to what training programs may be most useful for community colleges to put on in the coming year or what training programs might be most useful for school boards to put on, for them to be able to purchase at the local level.

In terms of how individual employers would access programs, in some respects they would access programs at a variety of different delivery points, but the difference will be that it will be part of a coordinated, comprehensive whole. So it won't matter if an employer goes to a community college, a school board, a private trainer or whatever; all those deliverers would be part of a system that was coordinated. An employer could go to any of those places and say: "These are my training needs. What do you have to offer to me? How can I best achieve the training objectives I have?" and they will be provided with access to assistance that is coordinated, rather than the ad hoc kind of hodgepodge we have now.

Mr Carr: I appreciate that all government people say that if we just streamlined it, there'd be enough money there. But taking into consideration your last question, saying that there will be enough money, what then do you see as the priorities? On day one, what are you going to concentrate on to get the most bang for our buck, to produce the largest number of jobs and skills for our people? What do you see as the priority?

Ms Alboim: That's a difficult question.

Mr Carr: It's the million-dollar question, because that's the whole thing.

Ms Alboim: Yes, it is the million-dollar question. I think there are a variety of programs now being implemented that are addressing a variety of different needs. One of the issues is to put those individual pieces together into a puzzle and to determine what makes most sense, what are the gaps, what are the duplications, what are the overlaps. I think that coming together and the identification of gaps, overlaps and duplications will really help us identify what the priorities should be and what we should start backing away from to a certain extent.

Mr Carr: But you know what people are fearful of. I'll give you an example. I'll use my own example, the Ford Motor Co. That's a big example, so they would have easy access because they literally can pick up the phone and talk to the Premier if they want to, to get help. But they've been working for a long time with Sheridan in Oakville, assessing programs, giving them their needs, saying, "This is what needs to be done." There are some people who are fearful that now they're going to have to start over with the new board and explain their needs and so on.

What can you say to companies like the Ford Motor Co that are doing work now with the Sheridans? Do you see any changes happening? Can you alleviate their fears, in seeing that those changes won't happen? What do you see happening with some of the existing programs that are working, and what incentive can you give to them to say, "This is what OTAB will do for you"? I always like to work in analogies, because it's a little easier to understand. Maybe you could explain how you see OTAB working with something like the Ford Motor Co, that's done all this work, has Sheridan out on the shop floor identifying needs, whether it be computer training and so on. As a matter of fact, I think the government gave them \$4 million. How will OTAB fit into that? Will it concentrate on that in the beginning?

1630

One of the fears I have is that some of the training that's going on, whether Ford's paying for it or the government's chipping in some money, those programs are working now, and should we not leave those programs in place and concentrate on somebody like Procor in my riding, which, as a big employer, said, "The number one problem we've got is that we can't find the people with skills we need"? Where will you be putting your training? Will it be towards the big Ford Motor companies? Will it be to be to the small people? Knowing that the resources are going to be limited, and as the person who's going to be in charge of this, where do you see us going right off the bat?

Ms Alboim: First of all, I'm not going to be the person in charge of it.

If something is working well, there is no intention to break it so that it can be fixed. There is no intention of introducing additional layers or additional complexities at all. The expectation is to respond more effectively to needs. The same way it's difficult to choose particular sectors for any kind of initiative, given that we need a variety of sectoral strategies and we need a variety of approaches, so I don't think it will be appropriate to say that OTAB is going to concentrate on the automotive sector to the exclusion of any other sector.

I think it's going to be very important for OTAB to identify a plan for itself that relates to geographic priorities and

sectoral priorities across the board that make sense. So I don't see Ford needing to worry that it is not going to be able to sit down and discuss with Sheridan how Sheridan can best respond to their training needs; of course it will continue to be able to do that.

For companies that are already doing their own training and doing it effectively, there is no intention to require them to get approval or get authority to do their own training with their own funds the way they are doing it now. We're not imposing anything on companies in terms of what they do or how they do it. If they are doing it well and want to do it independently, that's great. What this will do, however, is allow us to learn from the positive experiences that do exist, build on those, and address those areas that are not working well.

So to answer your question, I don't think OTAB is going to focus on a particular sector to the exclusion of others. I think it's going to have to look at the policy objectives. For example, the industrial strategy that the government has put into place, some of the sectoral initiatives that the government is pursuing, may be very well enhanced by a training strategy in those particular sectors and may be a useful approach to pursue. But again that is only a few sectors, and there are a lot. The economy is made up of much more than one or two sectoral initiatives.

Mr Carr: As you know, the Ministry of Skills Development came under some criticism for a high percentage being allotted to administration. A lot of the programs we put in place were all things that sounded great: the WCB, and we all know the backlogs and the problems there; the rent review board, and now you can't get before that. Even something as simple as the Ontario Municipal Board, which sounded like a great idea, is now backlogged 12 to 18 months.

What do you anticipate will be your percentage of the total cost that will be related to administration, and what can you say to alleviate some of the fears of people who say you're building a big bureaucracy at a time when a lot of the government's bureaucracies aren't working very well?

Ms Alboim: In fact, we're not building a big bureaucracy at all. What we're doing as part of OTAB is consolidating existing programs in a more rational way so in fact there will be economies of scale and in fact there will be a reduction of some of the support services necessary, by virtue of bringing so many different programs from different ministries together into one entity.

Mr Carr: How much will that save us?

Ms Alboim: Again, until the final decisions are made about specific programs and the final organizational design is determined, I can't give you specific numbers.

The Chair: Thank you, Mr Carr. I appreciate your questions. Mr Sutherland, please.

Mr Sutherland: Maybe to help out, I did hear the minister make a figure outside of approximately \$7 million for operating. If you compare that to the \$500 million it's going to be responsible for, I'd say that's a pretty low administration cost for operating this type of program and such an important program.

I just wanted to ask you a couple of questions. First of all, to respond to a few exhibits the clerk has presented to us—I

don't know if you got copies. There are a couple here. One is from Terra Business Development. The other one's from Huronia Management Consultants. They seem to express some concerns about what the role of the private sector has been in the development of the legislation and also what its role will be in terms of the use of trainers. Based on comments Mr Carr was making about the fine college in his riding, Sheridan, I think he's in support of having only publicly funded institutions as the people who do training; at least that was the sense I got from his remarks, that he would be supporting that in terms of the comments he expressed about Sheridan. I was just wondering if you could elaborate how the legislation sets out the role between public and private.

Ms Alboim: The education and training steering committee that was struck and has been working very closely with us is comprised of representatives of all components of the training and education community. Private sector trainers are well represented on that steering committee, both in terms of private vocational schools as well as training companies themselves. They have participated in that steering committee. The legislation was vetted and developed in close consultation not only with that steering committee but with other steering committees. The business steering committee, I must say, also brought forward its particular concerns about the role of private trainers, and some of the other steering committees brought forward their concerns about, for example, the role of community-based trainers—that was particularly from the equity groups—and the labour community brought forward its concerns about ensuring that public institutions would be involved to a great extent etc.

The legislation now states very specifically that it'll be the obligation of OTAB to make full and effective use of the full range of training and educator providers, and that includes all the various subcomponents within that sector. It also states that it'll be OTAB's responsibility, within the purview and scope of its mandate, to ensure the continuing strength of the publicly funded education system.

It looks at, certainly, both aspects of the issue. I think it makes sense to do so, for a number of reasons. If we really are to encourage a training culture in the province, if we really are to maximize to the extent possible all the resources we have available to us in the training and education area, if we are to recognize that different employers and different workers have different needs that can be best addressed in different ways and if we want all methodologies that are effective to be well utilized, it makes sense to ensure that OTAB does make use of that full range of education and training providers. At the same time, the government and previous governments have invested a lot in the public education infrastructure. It is a system that works well and effectively and should continue to be supported. The legislation does look at both those aspects.

Mr Sutherland: Just one other question. I believe there is some reference to training trusts. I'm certainly familiar with one that exists. The UFCW Local 1977, with Zehrs Markets out of Cambridge, has developed a very successful training system there. I consider it a very ideal model, due to some very progressive leadership of the union local there in terms of what it's been able to do with the company. I'm just

wondering if you could maybe elaborate as to how a training trust may fit into the OTAB model.

Ms Alboim: Training trust funds are one of the programs that is slated for transfer over to OTAB, and training trusts are vehicles that allow for employer contributions and worker contributions, both financially but also in the leadership of the delivery of training, the identification of need and the development of training programs that make sense. They receive some funds currently from government, which will be replaced by funds from OTAB, to complement the contributions made by employers and workers in the design, delivery and evaluation of training programs for a particular sector or particular workplace.

Mr Sutherland: Thank you.

1640

Ms Swarbrick: Thank you, Naomi; you're very clear and very effective in answering questions. I appreciate it.

Ms Alboim: Thank you.

Ms Swarbrick: Could you point out to us what consideration is being given to the needs of older workers?

Ms Alboim: Older workers right now are served by a number of programs that are under the purview of the Ministry of Labour. One of those programs is the Transitions program. That program is oversubscribed. As many people know, it's a very effective program. It will be one of the programs that will be transferred over to OTAB as well.

I think in terms of the adjustment area generally, that's an area where older workers tend to require more intervention: workers who are affected by downsizing or closure or technological change. Many of the people affected in that respect are people who are 45 and older, who do require some additional assistance in terms of access to training programs so they can re-enter the workforce or keep their jobs, given some of the technological changes that are going on.

The programs that will be going over, generally speaking, do not have age limitations on them, with the exception of a program like Transitions, which is only available to older workers, but all other programs are equally available to older workers and younger workers. There have, however, been some barriers to participation in some of the other programs, and I think some of the clauses in the act that I went through before would require OTAB to identify some of the barriers that do exist, that prevent people from fully accessing all the programs, and to address those barriers so that different elements or segments of our population, like older workers, can have more access to them.

Ms Swarbrick: In terms of the overall decision-making body, is there any attempt to make sure that the needs of older workers will be considered with regard to who sits on the governing body?

Ms Alboim: Again, we have expressed to both business and labour—given that they have eight seats each, so they have a little bit more give than some of the other groups that may have one seat—that among their eight nominees they should make every effort to have their slate of nominees, if you like, represent the people of Ontario and be reflective of the full range. Our expectation is that will take into account geography, sector, gender, race and including age as well, but

we did not require a particular representation on the board for older workers.

Ms Swarbrick: That was one of the things I was concerned about as well, that given the overall composition of the board and the fact that in terms of specifying with regard to, say, women or racial minorities, there's just one specified seat. Has the minister, in the instructions to those groups—you're saying it has been quite clear to try to make sure that—maybe I'll rephrase this into a better question: In terms of overall, with regard to the 22 directors, what are you expecting to be the outcome in terms of areas like women, minorities, disabled?

Ms Alboim: In terms of the overall 22 members, we are expecting there to be overall gender balance. We are not expecting there to be just one woman representing the needs or interests of women, and we have made that very clear. Of the five groups that have so far submitted their names—and that comprises six nominees because the educator-trainers have two, so we have six names already—there is absolute gender balance of those six that have been submitted already from the groups.

We are expecting there to be gender balance. We are expecting there to be geographic representation. We are expecting there to be sectoral representation. We are expecting there to be representation from the francophone community beyond just the one representative representing the needs of francophones. We're expecting business and labour to take that into serious consideration in their nominations. Similarly with people representing the visible minority community, we are expecting there to be more than one racial minority representing the needs of racial minorities. We've told business and labour that we expect them to look at that very seriously as well in their nominations.

Similarly with people with disabilities. We really want the board of the 22 to be as reflective as possible. We have not said, "That means one of these, three of these, four of those." We've given the criteria and left the business and labour communities to come up with their proposed candidates, looking for the best quality people and looking for the most representative group of people simultaneously.

Ms Swarbrick: Can I assume, though, that if both business and labour came up with, say, one person of colour, that there would then be some feedback to them to try to up that?

Ms Alboim: Yes.

Ms Swarbrick: In terms of some of the smaller groups—in particular, the racial minorities, women, people with disabilities and what have you—what are the mechanisms being used there in terms of which groups are having the opportunity to have input in terms of who their representative is going to be? You might want to use this as an opportunity also to give some further shape to the issue of the reference groups, because I'm interested in that. I think section 20 refers to the reference groups that will be created, so if you want to use that as a chance to answer both.

Ms Alboim: The steering committees for each of the labour market partners evolved rather differently in each of the areas. They all started off the same way, with government extending an invitation to some of the key organizations active in the area to come together to discuss the notion of OTAB. Those initial

invitees took their job very seriously and extended the net quite dramatically.

For example, as the minister indicated today, the women's steering committee has evolved to a point where, although the steering committee itself is comprised—I have all the names and lists here in my book—but let's say of 16 people, just to come up with a number, they have extended their network so extensively throughout the province over the past year that there are now 800 organizations and individuals actively involved in the process of discussing OTAB, discussing training, discussing the establishment of local boards and how they could be involved in local communities and putting forward names for people who are very interested in being involved on an ongoing basis. So it really has just mushroomed.

Similar initiatives have happened with the racial minority community, for example. Where they started off as a very small group, they've now had meetings in seven different communities expanding their group. They've had two major conferences where they've brought people together. I should say that we provided some funding to assist in the development of the steering committees and the consultation process with all groups, with the exception of business, labour and the educator-trainers. We provided some support funds to all the other groups to help them do their networking and their consultation process. So the work that has gone on to date will form the basis for the establishment of permanent reference groups.

It's again expected that each of the labour market partners will develop a different approach or style to the development of those reference groups, but the regulations will have certain minima. We will require inclusiveness. It won't be satisfactory, for example, for one group to just have representatives from Metro Toronto and not to have a geographically based reference group that goes far beyond one particular centre. It won't be sufficient to have only certain sectors involved, for example in the business community, or only large employers on the reference groups. There will be certain minima that will be required by regulation, but beyond those minima, we expect each of the labour market partners to determine a *modus operandi* that makes sense for them.

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Ms Swarbrick: I'm not sure whether I might have missed something in answer to Dalton's question earlier, but with regard to aboriginal peoples, in terms of off-reserve aboriginal peoples living in Metro Toronto or whatever, are they also just being considered to be dealt with separately under the government-to-government negotiations or is there any consideration of their needs here?

Ms Alboim: Discussions have been held on two levels with the aboriginal community. One has been on the basis of the relationship between government and the political organizations, and the political organizations certainly include off-reserve organizations like the Ontario Metis association, the Ontario Native Women's Association, the Ontario Federation of Indian Friendship Centres. It is not just working with the chiefs and the individual treaty organizations.

In addition to that series of discussions, the aboriginal people themselves have put together a committee called AICOT, another acronym which stands for the Aboriginal

Intergovernmental Committee on Training. That is comprised of people named by the political organizations on and off reserve, as well as representatives named by RAMBO. This acronym is really awful. RAMBO is their name. It's the Regional Aboriginal Management Board of Ontario. That organization also has affiliate aboriginal area management boards, 15 of them throughout the province.

AICOT is a committee that has been established by the aboriginal people to be the primary conduit for discussions on OTAB issues. We have had two meetings with AICOT to date. There have been lots of discussions post-October 26 about the role of the aboriginal community and what role they want to play in discussions like this. We are having another meeting coming up at the end of this month with AICOT to pursue the role of the aboriginal community in labour market development.

Ms Swarbrick: Do you foresee any kind of room being made for them at some point within OTAB?

Ms Alboim: Yes. The legislation allows for full participation by the aboriginal community if they so choose, and there's a place-holder waiting for them.

Ms Swarbrick: I'm interested next in the entry/re-entry issue. Under section 2, it states, "Labour force development programs and services" includes programs and services with respect to labour force training and adjustment and with respect to entry and re-entry into the labour force."

For instance, with regard to entry, I know I certainly end up dealing with constituents or people from time to time and I hear that they are the newer immigrants in this immigrant country of ours who are arriving with their own education and skills background and what have you, but of course without Canadian experience and maybe with some differences in the training they've had in the past for the jobs they would be seeking here. Often they end up in very low-paying jobs, quite mismatched to their educational background.

Our government has engaged in an initiative with regard to access to trades and professions. I'm assuming there's a co-relationship with the entry aspects we're talking about here.

In terms of re-entry, I'm also very conscious of the issues of women especially who have dropped out of the labour force to have children and what have you and again may have had varying levels of skills training and experience beforehand, but after many years are very much in need of different skills training to be au courant with what the needs are in the workforce today or at their future training time.

I'm wondering if you could comment a bit about what is foreseen by the entry/re-entry aspect and the mechanisms or vehicles you see for helping to make some real change in what's offered there.

Ms Alboim: The entry programs cover a full range of possible clients. For example—

Ms Swarbrick: I was just thinking of the disabled as well, right?

Ms Alboim: Exactly. You may have youth entering for the first time. You may have social assistance recipients who are entering or re-entering, depending on the point in their lives. There are the people, the immigrant population, as you have identified.

In terms of the re-entry group, you may also have injured workers, for example, or people with disabilities who want to re-enter. You may have people who have been displaced for a period of time and want to re-enter. There's a whole range of people who would benefit from both entry programming and re-entry programming, some of which already exist.

There are quite a few programs that are now delivered by the Ministry of Community and Social Services either directly or through municipal cost-sharing arrangements. There are programs that are delivered by the Ministry of Education, particularly for young people, and some of those programs are certainly under consideration for transfer over to OTAB.

I think what's important to highlight here is that it's not just a matter of where the programs sit. What's really important is to ensure that the ancillary supports are in place so that people in those categories who may require more than just eligibility to a particular program, but may need, for example, child care or income support or assistive devices so that they can make the transition to the workplace, have access to those supports in a way that makes sense.

We are not suggesting that OTAB all of a sudden assume responsibility for the child care system in the province, but we are saying that OTAB will have the responsibility for working very closely with, for example, the Ministry of Community and Social Services to ensure that women who are re-entering—not just women, but people—who have child care responsibilities who want to take advantage of training programs can have the necessary assistance to access the child care system. So it's not just the actual programs; it's the linkages with the supports that will also be very important, and that's identified in the legislation as well.

Ms Swarbrick: I'm assuming that we may end up hearing from some business people about their concern that some of those areas of entry and re-entry issues are maybe more social service oriented, their perspective being that OTAB should stay more in the direct economic training needs. I'm wondering what your comments might be there. It seems to me that very clearly there are real economic gains to be realized by answering the entry/re-entry challenges, for one, of course, in terms of helping to move people who are willing to go into the workforce into it in the best possible way, as a way of helping to free up the economic resources from the present social service programs. Secondly, as long as you've got labour force potential, if we can help to get that working within our society, that will help us to be much more productive.

I was on the pre-budget hearings last week. One of the financial market analysts who appeared before us was arguing that he also believes that the labour market isn't just a supply and demand situation, but that the greater the supply there is out there, the greater the demand will be as well, that it isn't always just led by the demand, that sometimes it can be led by the supply, that the more trained people you've got, probably there will end up being a greater number of jobs to help make them productive. Could you comment on that too?

Ms Alboim: One of the basic principles for the establishment of OTAB, and it is stated both in the purposes section and in the objects section, is to show and to acknowledge the interdependence of social and economic objectives and to

show how, exactly as you have said, by addressing some of the economic objectives, you are addressing the social objectives, and by addressing the social objectives, you are addressing the economic objectives, and they are interdependent and not two diverging series of objectives.

I think it is clear that it is not the role of OTAB to become a social service agency. It is not the objective of OTAB to assume responsibilities for those services that best belong elsewhere, but it is the responsibility of OTAB to ensure that all people have access to its programs and services by ensuring the linkages with the services they may require that are not within the purview of OTAB, so that people not only benefit from the programs and services but then can contribute to the life of our community.

We have evidence already where in the Jobs Ontario Training fund, for example, big companies have chosen to locate in a particular area because they have been assured of the availability of skilled workers or because they have been assured of the capacity to train workers where they may not have been assured of that in different jurisdictions. As you say, the supply of trained people sometimes does encourage additional investment or additional demand.

Ms Swarbrick: I have one last short question, if I have time, Mr Chair. With regard to the \$900 million of federal training dollars you made reference to that you expect not to be coming into OTAB, can you tell me where that money goes, or will go?

Ms Alboim: I'm saying that right now, the way we've established the legislation, we have not identified that those moneys will flow through OTAB. They might down the road as a result of a labour force development agreement that may be entered into between the federal government and the provincial government. But the federal government now spends a good deal of money in this province. I was going to say, "although not enough"; that's not unfair to say.

Ms Swarbrick: Say it, say it.

Ms Alboim: They flow a lot of that money through a variety of different ways, some of which comes directly to the provincial government, some of which goes directly to training providers, some of which goes to local community agencies like CITCs, which then use those dollars to purchase training in their communities. It is our expectation that much of that money will in fact flow to local boards from the federal government, and local boards will be very actively involved in determining the most appropriate way for those funds to be spent in local communities.

Down the road there may be other agreements entered into between the federal and provincial governments as to whether those funds should flow directly to local boards, directly other ways or through OTAB.

The Chair: Thank you, Ms Alboim, for spending the afternoon with us. The committee appreciates your candid response to our questions and the time you've dedicated to this committee. We are adjourned until 10 am tomorrow morning in this room. Thank you, people.

The committee adjourned at 1703.

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Cunningham, Dianne (London North/-Nord PC) for Mr Turnbull

Ramsay, David (Timiskaming L) for Mr Conway

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Swarbrick, Anne (Scarborough West/-Ouest ND) for Ms Murdock

Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND) for Mr Klopp

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Assemblée législative de l'Ontario

Deuxième intersession, 35^e législature

Journal des débats (Hansard)

Mardi 19 janvier 1993

Comité permanent du développement des ressources

Loi de 1993 sur le Conseil
ontarien de formation et
d'adaptation de la main-d'oeuvre

Chair: Peter Kormos
Clerk: Tannis Manikel

Président : Peter Kormos
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Tuesday 19 January 1993

The committee met at 1005 in committee room 1.

ONTARIO TRAINING AND ADJUSTMENT BOARD ACT, 1993

LOI DE 1993 SUR LE CONSEIL ONTARIEN DE FORMATION ET D'ADAPTATION DE LA MAIN-D'OEUVRE

Consideration of Bill 96, An Act to establish the Ontario Training and Adjustment Board / Loi créant le Conseil ontarien de formation et d'adaptation de la main-d'oeuvre.

BRANT COMMUNITY DEVELOPMENT AGENCY

The Chair (Mr Peter Kormos): It's 10:05 and we're going to start. My apologies to people for the delay. There's coffee and other beverages over at the side of the room. That's for everybody here, including the public. Make yourselves comfortable. The first participant this morning is the Brant Community Development Agency, if the people speaking on behalf of that group would please come forward. Have a seat. Tell us your name and title, if any. We've got a half-hour time slot. Please try to save at least the second 15 minutes for dialogue with members of the committee. Go ahead, sir; tell us who you are and what your status is.

Mr John Rolfe: My name is John Rolfe. I'm the director of operations at the Brant Community Development Agency.

The Chair: Go ahead. We have a written submission. You can read it if you wish, but all the members of the committee could do that on their own. Go ahead; tell us what you will.

Mr Rolfe: First of all, I want to thank you for the opportunity to speak today on behalf of the agency.

One of the things we want to talk about today is that we recognize the need to avoid discussion regarding the structural components of our local training and adjustment board and instead have undertaken to focus our attention on developing a brief more directed at issue identification.

These concerns are not formulated as a result of this agency working alone. The community of Brant-Haldimand-Norfolk has consistently demonstrated a commitment to creating a unique and productive training environment. Our community has proven this commitment not only through the overwhelming response to the LTAB-OTAB initiative but also through a community planning process that has been focusing training in our community for a number of years.

This community planning process is made up of two community-based information-sharing networks: the Brant employment coordinating committee and the training coordination committee in Haldimand-Norfolk. BCDA has been a member of this base since its inception. These committees are comprised of client-directed training organizations within the communities. The result is the development of a more effective and cost-efficient training environment.

When the LTAB-OTAB initiative was announced, members of these committees organized a number of community

meetings to get the information out to the public and to garner support for the initiative and a board area separate from Hamilton. Spearheaded by business and labour, these meetings created a level of awareness and community support never before seen on any issue.

Following the government consultations held on May 4, 1992, in Hamilton, the community continued to press forward with its support for local boards. A full community meeting held in Townsend and attended by over 113 people led to the creation of eight reference groups: the provincially designated groups plus agriculture. These reference groups organized and agreed to meet as a full steering committee to begin to look at the training issues relevant to our area.

As a result of this process, additional lines of communication have been opened. This result, in conjunction with current programming provided by the Brant Community Development Agency, has allowed us to identify a number of issues that require statement.

The boundaries issue: Members of Brant-Haldimand-Norfolk's two community planning committees immediately realized that our ability to focus training to local needs would be lost if lumped into the Hamilton local board area. As this agency is a training and information provider, it was immediately obvious that our ability to provide an effective range of service to such a diverse area would be inappropriate. Our communities have been successfully working together for a number of years, capitalizing on the many similarities between the two communities: geography, population, industrial base, agricultural training needs and the location of the large native community.

The concern is that the restructuring that Hamilton's steel industry has been suffering through will continue over the next decade and will demand a higher proportion of training dollars. The very size of this industry's layoffs, often twice the size of the city of Brantford or Simcoe's largest company's workforce, means the potential for our community to access training dollars could be compromised.

An ad hoc committee of business, labour, educator-trainers and social action groups was formed from the community planning committees and mandated to prepare a response to the boundaries issue. This process required an independent facilitator, who was provided by the Brant Community Development Agency. The facilitator began to develop a position paper and organize community meetings.

As a result of these meetings, many of which were co-chaired by business and labour representatives, letters of endorsement were gathered from all geographic areas and partner groups, including municipal, regional and county governments, chambers of commerce, independent business, labour councils, social action agencies and boards and institutions of education. All of this endorsement was in support of a separate board.

By May 4, 1992, the time of the proposed board areas government consultation date in Hamilton, our community was well organized to fight the boundaries issue. One presentation for the boundaries issue was made by the independent facilitator, but more importantly, almost every individual or organization from Brant-Haldimand-Norfolk spoke in favour of the separate board during their presentations. Unsolicited but not unexpected support for a separate board came from all sectors in Hamilton, including Mohawk College, the region of Hamilton-Wentworth, the Hamilton Chamber of Commerce and many social action groups.

The Brant Community Development Agency supports a Brant-Haldimand-Norfolk local training board separate from Hamilton. Support for this concept from the community can only be described as overwhelming.

The Hamilton-Brantford Site Report, released September 22 and drawn from the consultations, highlighted the call for a separate board area. Although the support for a separate board was highlighted, no specific recommendations were presented.

This community has continued to develop a framework to see the successful establishment of a local training board for Brant-Haldimand-Norfolk that is reflective of our community's strength and diversity with a focus on community needs.

Equity/access issues: It is imperative that this act provide for greater access to training to be available to all individuals, especially the most disadvantaged groups.

Youth provide the base from which to build the future economic foundation of this province. Given the current economic climate and the resources that this province currently allocates to the needs of young people, it appears that they do have some position on the agenda. It only makes sense to provide them with equal access to available training programs and other community resources.

It would be most appropriate if youth—particularly disadvantaged youth, who face multiple systemic barriers to employment and training—have guaranteed, legislated access to all training programs. These youth require the same opportunities to free themselves from systemic barriers through the provision of transportation and training allowances, child care and the opportunity to continue their education. All this can be accomplished within a well-structured, flexibly delivered training program.

Jobs Ontario: The Brant Community Development Agency is the Jobs Ontario broker for the county of Brant. We are committed to the success of this initiative and have devoted considerable resources to see the goals and objectives of our community realized.

It appears that although this project has been designed to begin the creation of a training culture and lead the road to economic rebuilding, its services would be much better realized over the long term.

It is well documented that the process of program implementation can usually be served most successfully through existing appropriate structures. That is the simple rationale; it explains the choosing of brokers within the Jobs Ontario Training delivery structure.

The development of local training boards could well be served by a previously developed community infrastructure

capable of dealing with the broad range of training opportunities while at the same time meeting the needs of existing community partners.

We are looking forward to the implementation of our local board and the progress that can be made within our community of Brant-Haldimand-Norfolk. The opportunity to provide input, support, digression and insight provides communities with the first initial steps to self-development.

The Chair: Thank you, sir. Mr Ramsay, six minutes, please.

Mr David Ramsay (Timiskaming): Welcome, John. It's nice to see you.

As you know, I'm a bit familiar with the organizations that you're a part of down in the Brant county area, seeing them on a recent tour, and I must say I was most impressed with what all of you have done down there. It really brings to mind one of the concerns that we have with the establishment of the LTABs, in that many communities such as yours which unfortunately had faced adverse conditions and really had to organize have really pulled everybody together and have a highly efficient, functioning organization already in place. One of my concerns is that with the LTAB made-in-Toronto formula we're going to superimpose that on all the regions and basically force you to disband what you have now and all the goodwill you've developed and force you to start over again adopting a Toronto model. How do you see working with that model as it's going to be put in place?

Mr Rolfe: In answer to that, one of the initial things we did in the history of this was establish the steering committee, recognizing the reference groups up front. Since we were already previously organized as incorporating that into the whole community planning process, we are worried about the imposing of a structure that is unfamiliar to us or that we have to start working with from scratch again.

Although we're looking forward to the implementation of a local board, it needs to be structured such that each community can absorb it within its existing structure. That brings to light the issue around Jobs Ontario and the planning committees that are already in place. Do you disband that or do you modify that to suit a brand-new structure when there's something already working there?

Mr Ramsay: Your preference would be?

Mr Rolfe: Not to.

Mr Ramsay: Okay. Another question I have is, you bring up the point about the boundaries. I'm sure we're going to hear more about that. To me, what's really important about that is that when we talk about community, it's more than geographic. Looking at a map, yes, maybe Hamilton and swinging over to Brantford and then coming down Haldimand-Norfolk way geographically might make sense, but there's not, I guess, as you would say, a community of interest there. You have developed a community of interest with Brantford, which historically was an industrial town manufacturing agricultural implements relating to the agricultural areas around that, so you've come together looking at the new economy that needs to be developed.

I think you make a very good point and I would really support you on that, that we have to make our boundary

divisions based on a community of interest so that people will work well together. I certainly support you on that.

Mr Rolfe: Thank you very much.

Mr Steven Offer (Mississauga North): Thank you for your presentation. I'd like to pick up on the point that's been brought forward by David with respect to the issue of boundary. As you will know, under the legislation that whole question is just left to regulation. There is no guidance that's within the legislative framework. I'm wondering, would you have more of a sense of comfort if there was within the legislation itself some of the principles that should guide anyone in the area of the decision as to boundaries, such as community of interest or other areas, as opposed to leaving it to regulation, where there is not that same type of input available?

Mr Rolfe: Yes, I would support that very much in the fact that there are a number of areas where communities have already focused a great deal of effort and work. To segregate them based on geographic areas or—I think putting it in the legislation would make it much easier for people when they decide to implement, given the fact there are statements there that force them to look at a number of other issues.

Mr Offer: From your broad experience in this area, that type of direction is quite possible in legislative form so that there is an assurance and so that there is a real commitment to making certain that in the area of boundary there are certain principles that must be followed in every area. How they are followed will very much be determined by the areas, but there can be the establishment of principle so that people can get that type of assurance that the LTABs will be set up properly.

Mr Rolfe: I agree with you. I think being able to legislate the parameters of which choices can be made would probably make the process actually a lot smoother. In our opinion, it would be much safer to be legislated, of course.

Mrs Elizabeth Witmer (Waterloo North): Thank you very much for your presentation, Mr Rolfe. You talk about equity access issues and the need to include all individuals. Do you perceive that under the present structure and suggested legislation there's not going to be accessibility for youth?

Mr Rolfe: That's what I'm proposing, yes.

Mrs Witmer: Why do you not see that young people are going to be served? Also, when you talk about youth, what age group are you talking about?

Mr Rolfe: Traditionally, youth is 15 to 24. When we're looking at accessibility, without the formation of a separate reference group indicative of youth, I don't know if it's true that any of those other reference groups have the capability of absorbing the interests of youth. I don't believe they do. Their interests are very specific and in many respects very broad, because they touch on a wide variety of areas right across the government spectrum and also in your community. I think it would be better served if there was a legislated, separate reference group for youth, rather than the proposal around a separate youth council or something like that, because you can establish a separate youth council, but does it have any power if it isn't in the legislation?

Mrs Witmer: What changes then would you suggest be made, and are you also concerned about the lack of representation of the educational community, the school boards and the community colleges and universities?

Mr Rolfe: A double-barrelled question.

Mrs Witmer: Yes, it is.

Mr Rolfe: I think I look at the youth issue from the point of view that it should be legislated that they have a separate group, that it would be included within the whole structure. From the educator-trainer's perspective, of which we are a member of our local reference group, from a community perspective, we don't have the concerns because we're already organized as a community and so our interests are on the table. But certainly at the provincial level it doesn't appear that's the case. It appears that agencies such as ours that are non-profits don't have a place at that table. They don't have a say, and yet we deliver a wide variety of very valuable services that this legislation is going to have a direct impact on. Are we being realized? Are we being taken into account at that level? I don't believe that's the case.

1020

Ms Witmer: Are you suggesting that your agency would—I guess you talk about it here—be used as the infrastructure that would be capable of providing the training? What are you suggesting here on page 4?

Mr Rolfe: I'll use our community as an example, because when we implemented the Jobs Ontario Training project, all community partners, all the brokers that were asked to submit all got together and formed a management group to actually deliver Jobs Ontario. We agreed as to who would broker and then who would deal with other services etc, and it's worked very well.

If you're going to take another local structure and impose it on that one, just because this is ending in two and a half years or whatever, it's wrong. It doesn't make sense to start and stop so many times. It's very upsetting not only to the client base that we're mandated to serve, but it's incredibly upsetting to the private sector. You're dealing with large numbers of employers, particularly with this program, that in the next two years are going to be used to its existence, and then all of a sudden the imposition of a local board, all the legislation and everything else, and then a whole new process or what appears to be a whole new process. Here's an opportunity to take that structure and work with it, and that same structure exists in a lot of communities.

Ms Witmer: Otherwise, there would be no role for your agency at the end of this time period. Is that what you're saying?

Mr Rolfe: There would be no structure at all, correct.

Ms Witmer: As you well know, I know in my own community of Kitchener-Waterloo that there's the same concern—

Mr Rolfe: Yes, of course.

Ms Witmer: —a very similar concern, and the boundary issue's there as well. If you had one recommendation to make regarding Bill 96, what would you suggest? What change would you suggest the government take a serious look at, then, in making?

Mr Rolfe: Probably our largest priority at this point, because we provide such a wide range of user services, would

be the inclusion of that reference group. There's more than just that. I think that if you're looking at the inclusion of the reference group, it is the expansion of an educator-trainer's role. They are two of the primary focus points. An agency as large as we are—which is in many ways unfortunate, because it's hard for us to have a picture in some communities of the small non-profit that, when this legislation follows through, may have to close its doors, and we may be forced to do the same thing—I think from our perspective the primary thing that you need to look at is the inclusion of non-profit status.

Mr Tony Martin (Sault Ste Marie): I want to thank you for coming forward and making, I think, some very valuable observations and suggestions and recommendations. On page 3, you mention the strength and diversity of the community that Brant-Haldimand-Norfolk represents. Perhaps you could share with us a bit more what those strengths and that diversity are specifically.

Mr Rolfe: Sure. When you look at our community and the large community as a whole, one of the things we've managed to do over the last couple of years is, in many ways, to be able to direct the flow of training dollars and determine as a community which would be best served to deliver a particular program or a resource. Those planning bodies are made up of all the agencies that deliver any form of education or training.

Mr Martin: What are the agencies?

Mr Rolfe: They are agencies like our local CITC, the municipality, help centres, agencies such as ours with Futures programs, youth employment counselling centres. Social services sits there. In Brant alone, there are 28. Our disabled resource subcommittee sits there, the Association for Community Living.

Mr Martin: Any colleges or universities?

Mr Rolfe: The colleges sit there. For a centre of our size, we are the only community in Ontario without a post-secondary institution, but we do have a branch of Mohawk College, and it sits at our table, as well as both boards of education.

Mr Martin: Is there no way that you could see the inclusion and the possibilities for your area by the larger grouping that's proposed by the government, of some of the major institutions in Hamilton as delivery agents for your area?

Mr Rolfe: No.

Mr Martin: You don't see that as valuable or—

Mr Rolfe: No, it doesn't enter into it at all.

Mr Martin: —contributing to the network that's there already?

Mr Rolfe: Their interests are so different from ours, even from the college's perspective. That's why they set up a separate area to deal with issues relevant to our community. You can't equate what happens in a large metropolitan or urban area to what happens in a basically agricultural and small-business-focused community. It's not the same. The interests are very diverse.

Mr Martin: That's interesting because I know up our way—I'm from Sault Ste Marie—Sault College has tentacles into places like Wawa, Elliot Lake and Blind River. They have advisory boards to those satellites to bring to that institution

the local flavour and the local need. That's not happening out your way and you don't see that as a possibility at all?

Mr Rolfe: It doesn't happen because the interests of the two communities are so different and what we provide to the people we serve is so different.

To put it in context, perhaps, if you look at a company in Hamilton laying off 800 people and a company in Brantford laying off 80, to Hamilton it may not be the same blow that it would be to us. If that were to happen simultaneously when we were linked together, the issue is, who would be compromised first?

Mr Martin: I understand. Thank you very much.

Mr Gary Wilson (Kingston and The Islands): Thanks, Mr Rolfe. I appreciate your submission. I want to address your concern about the local training boards because of course it is an important issue. Certainly for OTAB to succeed, it depends on the interaction with the governing body and the local boards. Of course, how we get the local interest accurately represented by these boards is a crucial matter.

I want first to point out that in the legislation this is covered in clause 4(2)(c) where it says that,

"In carrying out its objects, OTAB shall,

"(c) distribute funding of labour force development programs and services to all the regions of Ontario in a fair and appropriate manner."

That represents both the regions across Ontario and within the regions themselves, because we recognize that for a province to be successful, say, economically, culturally and socially, it's got to take all its areas into account, and it's only by listening to those areas and balancing the interests that this will happen.

You seem to have done that very successfully within Brant-Haldimand-Norfolk. You've come together as a community and therefore you will have a strong representation there as well, but you do depend on other areas in the province and certainly the most immediate area, namely, the Hamilton area, is an obvious example of that.

My question is, do you not see how that can work, seeing that you do have strong representation in your area and you understand the issues that are central to your concerns, and then you'll be able to represent them in a larger area?

Mr Rolfe: We know that it can work, taking the existing structure. The issue for us is that making a statement that something is fair, appropriate, equitable or whatever really may not mean that it would happen that way without clear legislation that states these factors have to be taken into account when something is directed at a local community. That's the issue. Who decides what's fair, what's equitable, what's accessible? How is that done? That's the concern even from an agency such as ours when the power base is basically distributed between business and labour.

Mr Gary Wilson: It's not only business and labour. As you know, the legislation also very thoroughly, I think, discusses the representation on the governing board and then again how the community interest will be represented as well. You've done it very successfully, as I say, in your region, so I don't see why this can't continue. Given that the thrust of the legislation is very directly to give a large voice to the people who

will need the services, then I don't see why that won't be represented in the operation of OTAB.

Mr Rolfe: There's no guarantee that this would continue. I guess that's what our concern is. There's nothing there that says what is previously existing and works has to continue.

1030

Mr Gary Wilson: Sorry. What is previously worked?

Mr Rolfe: What is existing right now has the right to continue. From our perspective anyway, the legislation doesn't say that.

Mr Gary Wilson: I'm not sure where in the legislation you say that anything that's there now will disappear as against being improved or built on. Where in the legislation does it say that anything will be ruled out that isn't there now?

Mr Rolfe: In fact it does not say that, but what it doesn't do is perhaps protect at the widest spectrum the interests of non-profits or governing bodies such as ours. It doesn't.

The Chair: Thank you, sir. Mr Rolfe, the committee thanks you and the Brant Community Development Centre for your interest in this matter, for your participation here this morning. You're welcome to stay or attend any of the other days that the committee is sitting, and of course you can obtain a transcript of your presentation or any other part of the committee's process by calling or writing the clerk or any of your local MPPs. Thank you, sir. We appreciate your time.

ONTARIO CHAMBER OF COMMERCE

The Chair: The next participant is the Ontario Chamber of Commerce. People, if you'd please come forward. Have a seat; tell us your names, your titles, if any. You've got a half-hour. Please try to save the second 15 minutes at least for questions and exchanges. Go ahead, please. We have here a written submission which will form part of the record.

Mr Don Eastman: Thank you for having us. I'm Don Eastman, vice-president of policy for the Ontario Chamber of Commerce. With me is Brian Oxley, who's chairman of our education committee. Both Brian and I have been deeply involved in the OTAB process, and Brian was last year one of the business co-chairs for the two travelling panels that went around the province looking at the local board process.

Mr Brian Oxley: The first session will necessarily involve a little bit of reading into the record of the material that you have before you, and we apologize for that. We want to get into a dialogue and discussion in the second half, as you do.

I would first of all point out, of course, that the Ontario Chamber of Commerce is the largest, most widely based business organization in the province, representing over 170 local chambers and boards of trade and some 65,000 businesses. The important point is that we do represent all regions, all sizes of business, from self-employed to the largest employers, and all sectors of the market economy, manufacturing and service. So we have a fairly good grasp through our membership as to what the sentiment is out there and what's going on in the province.

Our membership has been deeply concerned about training challenges that we face and have increasingly faced for many years, and many of our local chambers are directly involved in training issues in their local communities, either through participation in CITCs or in many other activities.

We have also been, with our members, active participants in the OTAB process and project, and in fact—we could beat our drum a little bit—we come before you with a fair amount of experience in training issues.

First of all, the government should be congratulated for addressing the training challenges that currently face this province. We believe that it should be an issue in which we should all be able to set aside any partisan politics. This thing is too important for us to argue about it. In fact the OTAB concept which was put forward in the original green paper was stimulating and thought-provoking and it certainly got some debate going.

Thomas Edison said that he had discovered 1,000 different ways how not to make a lightbulb. Our concern is that we may in fact be discovering in Bill 96, in its present form, a way of how not to make training work in this province. It will be very sad if that happens, because we are quite determined that we must improve our condition. We've reached this conclusion as we have worked through the process, through involvement with the business steering group and through seeing the way the thing has developed, and some of our conclusions are quite firm.

The first thing we want to really bring to your attention in terms of the bill itself is the purpose of the bill. In Ontario and elsewhere the quality of our future life depends critically on our ability to generate and sustain wealth in a dynamic, competitive, rapidly changing environment.

Those words will fly by you because we hear them so often. We really are concerned with wealth creation, but before any of you start to attach meaning to the words "wealth creation," I would just like to draw your attention to a quotation which was placed in the margin of the original discussion document on OTAB, a quotation by Premier Bob Rae, which said, "This government understands that there must be a marriage and understanding between those who are involved in the creation of wealth and those who are preoccupied with issues of social justice."

Frankly, I was offended by that, because as one who is involved in the creation of wealth, I like to think of myself as also being involved in the issues of social justice. There's an implication in that statement that those who are involved in wealth creation are not concerned. We very much are, and in fact the chamber is meeting with the Minister of Education next week to raise some fairly serious issues of a social nature.

Ms Anne Swarbrick (Scarborough West): That should make for a good, compatible marriage then.

Mr Oxley: Our only hope, I suppose, is that those who really do concern themselves directly with social issues also think about the need for wealth creation, because really, if we're going to get it to work, that's where it has to be.

The initial driving force behind the initiatives that led to the OTAB process was based on the observed needs of the private sector, but the bill before you seems to have lost sight of that basic objective. It should state as its first purpose "the creation of a more knowledgeable, highly skilled and adaptable private workforce." That was the original objective, and yet Bill 96 disturbingly does not state it. In fact suggestions that language of that nature should be incorporated have been refused.

Don, do you want to take it from there?

Mr Eastman: One of our concerns about the bill before you is accountability. OTAB will be responsible for most of the publicly funded training in the province and will be spending significant sums of taxpayers' money. As it currently stands, Bill 96 effectively isolates OTAB's spending decisions from this Legislature and from the public that elected you to office.

Some of you on both sides of the table here may have observed that we do not always agree with the decisions made by the elected government, but at least there is a genuine line of accountability back to the public through the election process. That's not true of OTAB in this legislation. Its 22-member governing body is expected to act in the public interest, as each one of them personally interprets that, but they are given decision-making power over public funds without a line of accountability back to the electorate.

There are serious problems with the makeup of the governing body and with the ability of the nominees to be truly representative of their designated reference groups. I think the most obvious problem is with worker representation. Less than 30% of the business workforce—we believe far less than 30%—has membership in the Ontario Federation of Labour, yet the OFL is given seven of eight seats allotted to workers. Unionized construction workers get one.

The other two thirds of the workers in the province, who are not members of the OFL or of the construction unions, get no representation, even in those instances where there are clearly formal organizations that could be approached. Our members who are self-employed and those who have workforces that are not members of the OFL or construction trade unions are legitimately apprehensive about how the bias in the makeup of the OTAB governing body will be translated into training decisions.

In Bill 96, employers—those who provide the jobs, those who have direct knowledge of what their businesses will have to do to be successful in the future, those who have direct knowledge of the skill sets that their employees will require if there is to be a business and there are to be jobs in the future—are allotted only a minority of the seats on the governing body.

It is the opinion of the Ontario Chamber of Commerce that even if the problems of worker representation were solved, even if the relative voting weights were repaired, it would still be inappropriate to give OTAB spending authority for funds that should be accountable back through the Legislature.

There's a historical rallying cry: No taxation without representation. The electorate will hold this Legislature accountable for the taxes you collect from them. You need to maintain clean lines of accountability. That means that the independent portions of OTAB, the various boards and councils relying on reference groups/interest groups nominees, should be advisory, not decision-making.

Having made the OTAB process decision-making, Bill 96 is then silent on how that decision-making process is to take place. It relies heavily on regulations that are not before you but must be taken on faith. It relies on consensus decision-making but is silent on how that consensus is to be defined or achieved.

People do, with good intentions and clear conscience, sometimes disagree with each other. There will be occasions where there will be substantial disagreement on the governing body, yet the act is silent on how those disagreements are to be resolved. If OTAB really is to be given decision-making powers, it is essential that both of the workplace partners, workers and employers, support any major initiatives coming forward from OTAB. The requirement for that support is absent in the legislation before you.

A broader concern is one of comprehensiveness. The OTAB concept before you in Bill 96 is really based on a model of the economy that is obsolete, if in fact it ever did exist. It looks at the workplace in terms of large, industrial-type employers providing lifetime employment and large, industrial-type unions.

Given the current state of the economy, it's hard to remember, but over the past decade there has been substantial growth and increases in jobs in the economy. Virtually all of that increase in jobs has occurred not from that portion of the economy represented in Bill 96—large, industrial employers and large, industrial-type unions—but from small businesses.

Right now, the province has a major shortage of jobs. Training is important, but it has to focus on job creation, not on training workers for jobs that do not exist. We have a desperate need for more people who are trained to be employers, trained to be better employers; people who understand how to start businesses to employ themselves and others.

1040

Mr Oxley: Having been stimulated to wrap our minds around the enormity of the task facing any Ontario initiative on training, we have come to see that it really is such an enormous task that we frankly cannot see OTAB spending any effort on the public sector for a considerable time, until such time as in fact there is successful outcome to be seen in the private sector, which is the principal purpose of the thing.

Indeed, surely government departments and government agencies have it within their own power to significantly steer the training of those employees. Also, as and when OTAB succeeds in elevating our level of success in the training area, surely governments will be able to access those enhanced training facilities. So we frankly do not see the focus being diluted, and yet the legislation allows for that to happen.

The field of education is not directly dealt with in this legislation as written. However, we can't pass up the opportunity to emphasize that, in our view, a great deal of the difficulty we see out there in terms of skill levels and our ability to respond and adapt to the changing world falls in the education arena and not in the training arena. Training is specific and has to be aimed at a specific skill or set of skills; it has to be based on really sound education which, frankly, at the moment we beg leave to doubt that we have. If lifelong learning is the goal, then we have really got to look at what that's going to be based on.

As perhaps many other presenters, we're also going to touch on local boards, because that is where the rubber meets the road. If this project is going to work, it's going to have to work at the local level. When chamber members and others across the province responded last year to the discussion documents, their comments were captured in the panel report, but

there was a consistent message in there which is worth drawing your attention to, and that is that local interests must be allowed to be active and effective in responding to local needs.

What reference there is in the bill to local boards suggests that control of activities in local regions would be centred on OTAB, with only limited empowerment of local boards. There is not, for example, a statement in the purposes section to the effect that the purposes of the scheme would include empowerment of local groups able to do all the things that have to be done locally.

In fact, there's no reference in the legislation either—and I found this very surprising because clearly a partnership between the federal level and the province was developing as far back as the signing of the provincial-federal agreement in 1991—to local boards being designated jointly by OTAB and the CLFDB in consultation with the provincial and federal governments. In our view, partnership extending to the federal level will continue to be important in the future, both as regards the application of funds and the search for a degree of uniformity across Canada in our approach to training and our search for acceptable national standards. So we believe there is an omission in the bill in that respect.

Finally, we point out again that local identification of needs and opportunities will be the precursor to action. Local enthusiasm and local partnerships will be the driving force. True effectiveness will only be determined ultimately at the local scene where the client meets, as a first point of interface, the local training board, not something based in Toronto. The role of the locally empowered boards is far too important, we believe, to leave to subsequent regulations, and the legislation should contain appropriate revisions to reflect that.

In conclusion, we agree that training is critically important for this province's future. We desperately need to move forward and be more effective. As it stands, the bill before you is a potential step backwards. It could lead to the creation of a large bureaucracy; it could lead to a much less effective training system than the one we currently have. However, it can be altered, and that, I presume, is the purpose of these committee hearings: to hear comments so it can be modified in the direction of public opinion.

We would point out that OTAB should be advisory and not decision-making. If you need any support for that argument, I point out that the WCB continues to alarm and demonstrate the dangers of an independent agency.

However, if you persist in making the OTAB governing body decision-making, then there must be a clear decision-making process requiring business and worker support for major initiatives. Consensus must be defined in that way.

Please rethink representation on the governing body and please state that the objective is clearly oriented to a market economy. In fact, we specifically recommend the insertion of a new paragraph 1(a), to read as follows:

"To facilitate creation of a more knowledgeable, highly skilled and adaptable private workforce capable of generating employment and economic activity in the face of increasingly competitive global forces."

Finally, again, the bill does need to spell out more carefully the role of local boards.

The Chair: Thank you, sir. Three and a half minutes per caucus. Ms Cunningham, please.

Mrs Dianne Cunningham (London North): Thank you very much for a very thorough and carefully thought out presentation this morning. You should know that yesterday I asked the minister if he would rethink the makeup of the governing body and he said he would if he had some overwhelming evidence that that was important. So if your association would like to help in that regard, it would be useful.

He also said he would look at the double majority with regard to vote. I haven't got the Hansards, but we'll certainly provide them for you as soon as we can get them.

I'm interested in this local board. We just had a presenter from one of the local boards in Brant, the existing boards, and I'm wondering how we could write that in. Is this going to require a whole new section with regard to local boards? Obviously, any public response in that regard isn't addressed in this bill—the previous public response, I mean. How do we do it? How do we fit it into this schedule 3—which I disagree with, too, but if it remains, how do we do it?

Mr Oxley: Firstly, it should be referred to in the purposes. It's not there. There's room for an inclusion. In terms of detailed wording, you raise a good question. We would be very happy to work with anyone so designated to develop it, but there are some things which should be said.

Mrs Witmer: You mentioned that you're really quite concerned on the decision-making process and I guess I'd like to hear from you specifically what suggestions you would give the government. You've recommended that some changes be made. Can you just expand on that somewhat? Obviously that's going to be the most critical component: how the decision-making does take place.

1050

Mr Oxley: Certainly. Really, you have to start with a definition of "consensus." It's a nice word; it evokes all the right feelings. If "consensus" is simply taken to mean "a simple majority," you could be in the position that either one of the major partners, labour and/or business, could be in total disagreement with the direction being taken.

In our view, that would not be consensus. It would simply be a simple majority. Therefore the wording which should be used should require a majority within each of the major partner groups in addition to an overall majority. That would do.

Mrs Witmer: That would alleviate that concern you have?

Mr Oxley: That would cover it.

Mrs Witmer: Is there anything additional that you haven't mentioned here that you do feel you should mention at this time regarding this board or the local boards? As you've indicated, there's not much information concerning the local boards, and I know for many communities there's tremendous concern as to how this is going to be handled.

Mr Oxley: I suppose we have to agree that a lot of that will come out in the wash after OTAB is created. But we would certainly, as I've said, appreciate there being a clear intent in the legislation to empower local boards to direct locally.

Mr Gary Wilson: Thank you for your presentation. As you can imagine, on this side it stimulated a lot of interest, and I want to share my time with at least one other member of our caucus.

I'd like to turn to this question of accountability, though. Even with your opening remarks referring to the Premier's statement about the balance between social responsibilities and the economic role in the province, I guess the best way of putting it is that we don't want to label people, seeing this just from one perspective.

I think it's the same with OTAB. What we're looking for here is shared responsibility, and when that's done you obviously can't just appoint, to one group, complete say in how it works. The public interest, though, which is what the government represents, I think is quite strongly placed here in that not only are the appointments made not on the basis of one certain sector; it's with that party in mind but also the public responsibility of the directors on the governing body.

But there's also, I would say, very strict control by the government through the minister's directives, for instance, which is in section 5 of the legislation, as well as the various accounting procedures by the Legislature through its committees. The standing committee on government agencies, for instance, can call the directors before it, and then there have to be long-term corporate plans. Given all those, do you not see then that there is a strong element of accountability through the government?

Mr Oxley: It is there in some degree. I would agree that the minister reserving a great many rights in the legislation gives us some protection in that respect.

Mr Eastman: It's been our experience, when we look at the WCB and learn from that and also the experience that we've seen so far with the Workplace Health and Safety Agency, that when people are appointed to these boards, their definition of "public interest" is really substantially affected by the group they come from.

The whole purpose of the reference group appointments is for these people to bring forward the opinions of their reference group. If they're not going to represent the reference group, they have no business being there, and it's structured that way.

Mr Gary Wilson: No, but that's not the idea. Obviously not every sector can be represented, for instance, so clearly there has to be an understanding by the people who are appointed that they don't represent strictly the sector they come out of.

Mr Eastman: We think that a far better solution would be to use this kind of body for the expertise to provide advice, because there's a tremendous fund of knowledge there. But inherently there are going to be important pieces that just simply aren't represented.

The Chair: Are you giving your colleague some time?

Mr Gary Wilson: Yes.

Mr Kimble Sutherland (Oxford): I would think though, if you need a comparison between what the accountability is here to the minister and to the Legislature, you'll see that there are probably differences from some of the other setups in the past.

I want to just make a couple of comments. You talked about the worker representation, about unorganized workers, and I just want to make sure you're aware that the model we're following here is the same model that the federal government has followed in terms of unionized workers, that

many of the other provinces have, and other jurisdictions, including Germany—the Netherlands use the same type of thing—where unionized workers represent them.

I think it's also important to point out about the local boards that the reason it's not in the actual legislation is the fact that local boards can't be established by the legislation itself because it's something that has to be done in relationship with the federal government, the Canadian Labour Force Development Board, and OTAB is going to be one of the players in that. So exactly how the local boards play out what their geographic areas and overall responsibilities are has to be negotiated, but OTAB has to be established first because it's one of the partners in that negotiating process.

I guess my question comes to, you said about this being an advisory role, and I'd like to know, if it was an advisory role, how do you think you'd be able to get business representatives to participate and give it the degree of commitment it needs if it is strictly an advisory role? I think one of the key things about this is that it's actually those labour market partners who are making the decision to respond to their specific needs, not just advising.

Mr Eastman: I think, firstly, the CLFDB is advisory, not decision-making, and if this body were advisory, then the representation issues are still important but they're not nearly as critical as they are when it becomes decision-making.

The German model I think is an interesting one, because it's my understanding that in the German model basically there are three groups. You have worker representation through the unions, you have employer representation and then you have a third group that is elected officials who are appointed. For any decision that takes place, it requires support by that component of the elected official, so you have a very different form of accountability. It also has some different responsibilities. I think you have to look more carefully at just what the other models are and how they work.

In terms of business representation on this body, if it were advisory, boy, we've got quality business people on a great many advisory boards now and there will be no problem getting representation.

Mr Ramsay: Gentlemen, thank you very much for your presentation today. In fact it's made me feel a little better. I've almost felt I've been out front of everybody a little bit in my opposition to this legislation and I'm glad to see some people now see the flaws as they've looked at it. I appreciate that, and I appreciate your constructive suggestions that we in the opposition could use to bring forward some amendments to try to make the legislation more effective.

But I really think you make a very strong point when you talk about the worker representation side, something many of us have spoken about, and the unfairness of that. I think one thing the government doesn't understand about it is it's not just a question of fairness. I think it's going to be the fatal flaw, the Achilles' tendon, if you will, of this legislation and of OTAB in itself that will in a sense kill it in the end, because it won't have any credibility at all at the worker end because it's such a narrow selection of worker reps on there. I think in the end, unfortunately, that's what's going to kill it, and it would be better to fix it now so the thing does work, because we'd like it to work. I would like to ask you what

suggestions you might have on how to bring what you would perceive as being a proper balance to the board.

Mr Oxley: First of all, let me clear away one potential misapprehension. I personally, and all of us I think on the business side, appreciate that there are some fine minds on the union side. We would have no difficulty in working with them, but the difficulty is this representational one. I guess it's probably less important at the provincial level, where I would suggest that at least two positions on the workers' side be established in principle which are not unionized. It will be much more important at the local level. As we travelled the province last year, we heard people saying, "You can fire a cannon around here and you won't hit a union." Why, therefore, should our training locally be in the hands of union representatives?

Mr Ramsay: That's a good point. So would you like to see that spelled out in the legislation, that the makeup of the LTABs could be decided locally as long as it was eight workers, eight business, that sort of thing?

Mr Oxley: Precisely. Spell it out that the local representation should reflect the balance of economic activity in that area.

The Chair: Mr Offer, briefly, please.

1100

Mr Offer: Thank you for your presentation. Yesterday we heard by ministry staff that the funding for this project is going to be something in the area of \$400 million to \$500 million. My question deals with section 21 and subsections 23(1) and (2) of the legislation which talk about the fact that OTAB can charge fees for its services. I'm wondering if your group has looked into whether these particular sections are the beginning of moving the training funding from that which was government-funded to that which may be employer-funded.

Mr Oxley: There are words in the legislation. I was looking at them again only the other evening and putting question marks opposite them. We wouldn't be sure what direction we were going in, which is why it's important to have a double majority. If it becomes obvious that the financial side of the thing is not moving in the right direction, either in terms of efficiency or administration, or in fact in terms of sources and application of funds, then we've got some protection.

The Chair: On behalf of the committee, I thank the Ontario Chamber of Commerce and both of you, Mr Eastman and Mr Oxley, for your interest in the matter and for your participation this morning. We trust you'll be following the course of this legislation through the committee, and of course you're welcome to submit anything further to us in writing that you wish. Thank you, gentlemen. Take care.

GOPAL MUKHERJEE

The Chair: The next participant is Gopal Mukherjee. Sir, please come forward and have a seat. We've got 30 minutes. Please try to save at least the second 15 minutes for exchanges. As you can see, they're a particularly valuable part of what's happening here. You can identify your background and what brings you here.

Dr Gopal Mukherjee: What brings me here is that I've a genuine concern about the transformation of our economy from the resource-based to the skill-based. The government is giving an opportunity for ordinary folks like me to present my viewpoint and express my concern to the extent possible.

As far as my background is concerned, there's nothing terribly esoteric. I have a PhD degree from the University of Western Ontario. That's a long time back in the 1970s.

The Chair: Only for Mr Sutherland; not for the rest of us.

Mr Sutherland: It makes you a very good witness.

Dr Mukherjee: Thank you. I was teaching in the faculty for some time. Then I had a post-doctoral fellowship at Columbia University, in the business school. I did work as a consultant to the Ontario government in the 1970s when there was a Ministry of Treasury, Economics and Intergovernmental Affairs. Right now, I'm in the information technology area.

I have some specific suggestions and I leave it to you and invite your opinion about their implementation. This is briefly my background and the reason for which I am here.

I don't want to dwell on the policy issues or why we need training packages. I think it has been established very adequately that there is a genuine need for that. The economic transformation is so massive that we cannot do things the way we used to. We have to learn how to do things differently.

To go back, I think a couple of things are developing, primarily in the United States. That's where I'm more comfortable right now. I'm working in California, in the Bay area. As well, it has been repeated in the southern California-Los Angeles-San Diego area. Even though Ontario and California may be different in many different ways, there is a lot of similarity. We probably got the biggest hit from the 1990s' recession, both California and Ontario, so there are certain elements of similarity. Both are transforming—a structural alteration in their economic development—from resource-based to skill-based industries.

I would like to emphasize some of these points. You will find that one difficulty in the implementation issues in which I'm interested is that they're not recorded in the established academic journals. Academic journals have been talking about policy-oriented issues. Implementation issues by and large are for those who are practising, those who are working on the project. They don't have the time and energy to make a formal presentation in writing in established journals. That is why a certain communication gap is very difficult to eliminate.

Anyway, just to begin quickly on our implementation vision, I think some of the things are working. We know that a transformation is happening. Why is it happening? That's also fairly understandable. You don't have to be a mystic or intellectually very gifted to understand that. There is a corporate globalization happening. There's an impact of information technology. Japanese yen can be transferred very easily from the San Francisco Bay area to Malaysia, similarly from Ontario to other ports. It can be done very quickly.

As a result of this thing, what is happening is that some of the resource-based industries, for which Ontario has a certain advantage, are gradually eroding. They are eroding very fast. Anybody who is knowledgeable will recognize that, given another five to 10 years' time, if we retain our sense of complacency in what we are doing, our next generation will be in a very difficult position. A very authoritative individual at the

Harvard Business Review, Professor Zubof, first mentioned, in *The Age of Smart Machines*, that the kind and nature of the work is changing so fast that, if we don't adapt, we will be a thing of the past. Our competitive advantage will be eroded.

Those are all the elements of bad news, but there is also certain good news too. Ontario has a very legitimate reason to feel proud of certain of our assets. I'm focusing on one particular area of which I have a little knowledge, that is, information technology. We have Northern Telecom, which is probably one of the world's most competitive corporate structures. Similarly, there are corridors in the Markham area where you will find a lot of small entrepreneur-oriented software designers working. These are the engines for our economic renewal. We have certain good things going on in Ontario and we should be appreciative of those things.

Now, regarding the implementation, there are two basic factors I wanted to bring to the attention of this group. First of all is what OTAB should and should not be doing. That may sound like a very arrogant statement, because you are the resident pundits and I am somebody outside, but someone with common sense. The government, at least in the delivery of the training, should be the least bureaucratic as feasible. If there are any civil servants here, I apologize. The more you become bureaucratic, the more it loses its entrepreneurial spirit, the creativity, renewal types of things. But having said this, I think government has a very legitimate responsibility. Probably training is the most important part and government can play a very creative and constructive role.

What government should be doing, particularly in the delivery of the training packages, is it should try to retain a sense of flexibility. The training package should be, to the extent possible, decentralized. Why? Because we don't know, to be honest—the most brilliant minds, if we are asked a hard question—do we know how the nature of jobs will be evolving? I'd bet my bottom dollar that people have general, broad ideas but not specifics. Since the exact characteristics of the skilled jobs are difficult to ascertain with an acceptable degree of accuracy, the delivery program should be, to the extent possible, flexible and decentralized.

Decentralizing is a very important task—I think we have overused the word "decentralized"—because right now any student of economics will recognize that the economy in general—not the American economy—is not the way it used to be. It has been juvenile economies. Even within Ontario there is a northern economy, and southern Ontario's economy is quite different. We have to be respectful of the divergence of these two economies. What is good for the Toronto-Hamilton area may not necessarily be good for Ontario's northern region. Consequently, there is a need, and it should be adhered to, for flexibility.

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The other characteristic that right now, and there is again a very legitimate reason for that one, there is an effort of controlling the cost. The controlling or the containment of the deficit is an important consideration. From that point, rather than trying to do everything, covering the entire waterfront, if we try to target our specific sectors, which are the most vulnerable ones—I think again, Clinton's new appointee, Laura Tyson, has probably most clearly articulated that in the transformation the two groups are the most losers, namely, women

as well as the visible minorities, or the minorities in general. There has to be some kind of recognition of that factor. To the extent possible, they should be specifically targeted populations. They should have at least the access to these opportunities. That probably will bring it in power, society's least advantageous complement.

How do we achieve these goals? It is a very noble aspiration, but what are the mechanics? To achieve that goal, two things have to be done. OTAB probably does require a kind of a comprehensive database which will capture—I believe very strongly—that database which will identify the emerging industries; not just that at the time we have made the decision, these are the kinds of emerging industries and we close that one. This emergence of the industries is a dynamic process. We are not sure that what it is today will remain static in the coming two or three years' time, so that that objectifying of the emerging industries should be a vital part of that database.

That database will also allow the administrator to anticipate economic dislocation and to formulate the adaptation to these measures, what kind of things are emerging, so that those who are responsible for the delivery of the services could quickly adapt to this new requirement.

Finally, we need statistics on the participation rate of certain demographic groups so as to determine whether fair and equal opportunities are accorded to the least advantaged members of the society, because that will capture that kind of a database. The creation and the utilization of that database is a very important part of OTAB. I think I'll stop there.

The other specific delivery mechanism which has been put into effect—with some modest amount of success, I mentioned—has been originally implemented in the San Francisco Bay area. Now it is in the southern California and Los Angeles and San Diego area that it has been replicated.

That model is based on four principles. The first principle is that the services should be client-friendly. That means that those who are taking the training should have some degree of friendliness. It should be culture-specific. The second part is that it should be responsible to the market requirements.

The third part, and most important, I believe, is that it should be cost-effective. It should be superior in terms of the costs and the existing maintenance of the program. Along with it, there is an element—again, I don't want to go very far into detail. There is transformation of the passive income maintenance to the active income maintenance. I believe some of the things in Ontario are also worked into that issue. There's a third part in the cost. I'm trying to make a lot of stories in a very compact one.

The fourth element, which is very important, is community resource utilization. That's a very interesting and innovative project. I believe Stanford University's business school has now achieved certain elements of credibility from the business world, from the academic world to the real world.

I leave it to you, and if anybody has any specific issues, I'd be glad to respond to those.

The Chair: Thank you, sir. Ms Swarbrick, please.

Ms Swarbrick: Mr Mukherjee, I think you've made a very good presentation to us, touching on a number of parts that are in the bill. I'm just wondering if you would end up commenting about whether you feel heartened by a number

of the things we've got in the bill, that they in fact will be able to deliver and meet the needs you're identifying.

You've made reference to the needs of women and minorities and the needs of the least advantaged to have their opportunities, and I was very heartened to hear you make reference to those. I'm wondering if you could comment also, from your having gone through the bill, how you feel about our attempts to make sure, for instance, in the purposes, that we're quite clear that it's "to enable business and labour...educators, trainers and representatives of underrepresented or disadvantaged groups, to play a significant role in the design and delivery of labour force development programs and services." Of course, we include in the overall governing body for the organization very much representatives from social equity groups to be part of that decision-making governing body.

We have in other parts of the bill made reference, such as in section 2, in the definition of "labour force development programs and services," to including programs and services with respect to entry and re-entry issues, which I think will have a lot of significance on the lives of more recent immigrants to Canada, as well as women.

I'm wondering if you can just comment in terms of whether you feel heartened generally by those kinds of things that we have designed into this legislation.

Dr Mukherjee: Yes, I'd like to do it. As a matter of fact, I think it's very exciting that the government has recognized that there is a genuine need, and it probably is serving dual purposes. It is not only making our community much, much healthier, holistic in character; it is bringing those who are marginalized so that they have certain resources. They can make the economic health far more wealthy.

I am repeating some of the things which are going on down south, because I'm a little out of touch with Ontario. I'm just giving an anecdote. Tomorrow, at Clinton's inaugural, I believe 10 or 12 people were invited, those who were closed off before. Those were so-called traditionalist, mainstream individuals. They were asked why they were invited and somebody drily replied, "I wish they were invited before." Those who weren't "within the pipeline" are coming, and in the process they are making life far more richer, not only for themselves but for the community in general.

In that very well documented research paper by Laura Tyson, Clinton's new appointment on economic development, she mentioned: "When the transformation of the economy is going, you will find those who can least afford to change are the most vulnerable ones, namely, the women and the visible minorities, particularly in the southern California area. I think it has to be recognized that they have certain resources which can make the general mainstream community much healthier economically."

Now this document again is suggesting, who are the winners in this transformation? Somebody wins; somebody is losing. It's a win-lose game. Somebody is winning, too. Who are the winners? Those who are, "educated," "young," and again they are also from some of the minority groups. For example, young orientals have right now, in the statistics in California, probably the highest in average income.

Then the question comes, for those who are marginalized or below the benchmark level, can we by infusion of some kind of technology and training bring them above the benchmark

line of things? That is one of the pillars of the training package, resource utilization.

I'll give you a specific example of how they are implementing this thing. Again, as I mentioned, it has not been recorded in any of the standard academic journals. What they are doing is that they are finding in a community—let's say Toronto, for example, or Hamilton—and I know from my personal experience, because I use them; I don't abuse them, I use them—that there are a lot of people who are technically very sophisticated. They can do that work, but they cannot, maybe because of their accents, maybe because of any other "systemic barriers" in the society, participate in the mainstream. They are doing that work and then they are marginally utilized here, including women, including the visible minorities.

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I think what the government can do is what is technically called quarterbacking. Quarterbacking by that one can initiate and create a vision of the future, and not just create a vision; manage the vision, so that yes, a small group of people with a divergent viewpoint, a skills content—some of them would be highly technically competent, some of them managerial, some with the economic view—can be brought together and create an accountability centre or a responsibility centre, and government is encouraging them, particularly giving them some seed money. Develop the training packages which in your judgement—because you know the kinds of requirements of the future as well as of now, and design a training package for that.

This is a very new development, but it is serving a dual purpose. It is helping those who are marginally utilized right now, those resources, as well as those who don't—if you go to any community colleges right now, which are primarily channels for the delivery of the training packages, and you talk with the administrators there, there is a frustration because God knows what kind of training is already happening, because those who are developing the training are not actually designing the kind of requirement, what is happening in this society.

Maybe I'm not articulate enough to explain this. This is a fundamental issue, and that's why our programming, our planning part requires a very important component which is missing, what is actually happening when something goes bad, the time delay, and then after three years we recognize it—"I wish we did this"—but those who are actually doing that thing in the community, in the workforce, in the technological area know exactly what kind of resources we need.

That doesn't require or mean very intellectually superior. Ordinary, average individuals are capable of doing it, provided we separate a required infrastructure so that they become empowered to do this job.

Mr Ramsay: Thank you, Mr Mukherjee, for your presentation today. I thoroughly enjoyed it. It's nice that you speak off the top of your head there and not just read us something. I find that very refreshing.

I'd like to talk about one of the main points you brought up because I really agree with you, and that was your point about decentralization, that there shouldn't be, in addressing the training issues, a highly centralized organization, but it should be decentralized. I agree with you. In fact, OTAB is

sort of the old thinking of government: "It's going to be a top-down operation. We're going to build this heavy top first and then we're going to build in the bottom." I'm not even quite sure you'd need that top, actually.

We have seen in our first presentation from Brantford a very successful local organization. The communities come together and work on the training needs of a region. I really think you could do that on a regional basis.

I was just wondering if you had any suggestions as to how a decentralized sort of training initiative would operate in Ontario, how you would see it functioning, or any ideas you could contribute to a decentralized organization.

Dr Mukherjee: I'm obviously biased. I am scared about the bureaucrats, with good reason.

Mr Ramsay: They're scary people, aren't they?

Dr Mukherjee: They frighten me because, once upon a time, 20 years back, I know that there was an element—I have a lot of respect for these people. Mind you, they are doing a very hard job because they have so many political masters they have to satisfy, so given that situation—

Mr Ramsay: Especially today.

Dr Mukherjee: Not being a politician, I don't—I think as soon as—

The Chair: That's probably to your credit, sir.

Dr Mukherjee: Anybody who has a moderate amount of knowledge about the organizational efficiency I think would recognize as a fact that as soon as you make the organization centrally monitored and controlled, then probably it loses a certain creative vitality; it loses the robustness.

At the very beginning, I must say I have a little bias, even though the government has a very legitimate role. It has its public accountability and we are creating public good. Here we are creating public good, meaning education and training, so there is a government responsibility to overall control and establishing the broad directions.

But unless it becomes decentralized to the extent—my perception of "decentralized": It should be responsible to the local requirements, even within Metro Toronto. What may be good, for example, in the eastern part of Toronto may not necessarily be good in the northern part of Toronto. Specifically, maybe Seneca College can offer kinds of programs which may be different in terms of the content and character than Centennial College. So there is a different variation within the same geographic location.

If we extend that to a much broader thing, let's say northern Ontario, which is very much resource-based industries, to southern Ontario, which is very much manufacturing industries, part of nirvana cannot be established by developing a very comprehensive training package; it has to be responsive to the requirements of northern and southern Ontario—very distinct. Also, stakeholders will have far more energy and vitality if something responds to their needs rather than some abstract components coming as a directive from the Toronto area.

Mrs Cunningham: Thank you very much, Mr Mukherjee. You certainly expressed some of my concerns. One of the two things you said that I think has been said by others, but you said it so well, is that, first of all, we need this strong database on emerging needs. With some of the local boards that

are established and working now, the independent training boards—in different communities they have different names; we heard from one earlier today from Brant—that has been their job actually, and some of course, like others, have done it in a much better way. Last year, the government of Ontario spent some \$3 million on those local CITC community projects, much of which was looking at labour-need assessments.

We do have that expertise, and many of us are very much concerned that we may lose it if we lose the people and if we lose the business, the educators, the people who are cooperating in those training needs now. So we have to move very carefully. You've mentioned the community colleges, so you know something about what's happening now and the needs of individual communities.

Have you looked at the local training and adjustment boards, that part of the bill, and do you have any recommendation with regard to what's happening now? Do you think we should be writing in the responsibilities of the local training board in the bill? It doesn't exist now. Do you think we should be talking about the makeup being different for each community? Have you given that any thought?

Dr Mukherjee: No, I have not given thought to the operational characteristics, if you are asking me the kind of operational characteristics of that database. I have a feeling that if you put it in the act, that probably would make things far tighter in terms of adjusting to the new requirements. I would be afraid to put it in the act itself, but if it can be used as a policy guideline for effective control and as a tool for management, OTAB should have that resource database as a part of the resource in terms of designing and delivering the programs.

In my judgement, that probably retains the required level of latitude that our future directions will be taking. My feeling is that economic conditions are changing so fast, God knows what will be there after lunch; before lunch we really don't know, that kind of thing. If we make it very tight in terms of your act, that might have certain detrimental effects.

Mrs Cunningham: I didn't really mean that it should be tight; I just meant that right now there's not much in the bill with regard to the responsibilities of the local training boards and the makeup of those. So in the next little while if you get an opportunity to look at that, we'd appreciate your input.

Dr Mukherjee: As a matter of fact, I just had a look at the papers, whatever was sent to me from OTAB, very quickly, I must admit. I have to say it probably tries to cover the main ideas, except that not having data on areas which I think are very important is like having a ship without a rudder: God knows where you will be going. Most of the documents I was supplied with by OTAB were completely silent on that part, and there is no reference at all.

On that point I totally agree with you. There has to be some commitment to that need of data resources in terms of effective delivery. Also, once you, the political masters, will be asking, you don't have any resources to judge in a fair and unbiased way whether the OTAB has delivered what it has promised to deliver. If you have those resources, both sides, the contractual agreement will be far more fair, both the political institutions and those who are responsible for the delivery of them. So in that respect there is a need for that.

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Mrs Cunningham: I have another request, Mr Chairman. I'll just make it brief.

The Chair: If you make it really brief.

Mrs Cunningham: You referred to Stanford and I'm aware of the work the business school is doing and the publications it made last May with regard to the emphasis on including educators in their public sector-private sector training programs. I don't know whether you and I are talking about the same thing, but if you have anything in print out of that I would be most interested in receiving it.

Mr Mukherjee: So far as the Stanford business school is concerned, I go there and spend some time every year, so I know. And my son happens to be a student there in the economics department, so I have some—

Mrs Cunningham: Can you provide the committee with some of their work?

Mr Mukherjee: I will, but the most important aspect of that one, Stanford, I have not seen published in any kind of a journal. It is an ad hoc, community-based organization, San Francisco Bay area. They've designed that program which is user-friendly—that means client-friendly. It has to be passive income maintenance to direct income maintenance; it should be cost-effective, in that maintenance of the program should be more economic than the existing program; and finally, utilization of the community resources—that means those who are marginally utilized right now, they are bringing a group of people under a quarterbacking system so that they are doing it just like a production of a movie. If I find anything, I will—

Mrs Cunningham: We would appreciate that.

The Chair: Mr Mukherjee, the committee thanks you sincerely for your interest, your eagerness to participate and provide input. You've made a most valuable submission today and I trust you'll keep in touch with the members of the committee with any new information. We thank you very much for coming here this morning.

Mr Mukherjee: Thank you very much for offering me the opportunity to express my opinions.

The Chair: Right, sir. Thank you.

HERCULEAN TECHNOLOGIES

The Chair: The next participant is Herculean Technologies. Would they please come forward. Have a seat. We've got a written submission that'll form part of the record. Tell us your name, sir, your status or title, and please proceed with your comments. Please try to leave the second half of the half-hour for questions and dialogue.

Mr Peter Phillips: Thank you very much for giving me the opportunity, although I must say it certainly is a shotgun wedding situation. My appointment today was confirmed only yesterday afternoon. However, I have briefly put a paper together for you with, unfortunately, no time for a covering letter.

However, without any more to-do, my name is Peter Phillips and I have a small company here in Ontario dealing with the subject matter at hand, and we have been doing so for the last 30 years. I would like to go into a summation of

my background, which will help you understand my track and train of thought.

Way back in my early history I was destined for university, and instead of university I personally decided to take my future into my own hands and attend a college, namely the Birmingham College of Food Technology. I was going to go into the hospitality and tourism industry. Why not? It seemed like a good idea. We were told in those days that everyone was going to retire early to the beach. Holiday Inn was just franchising its first hotel and I saw a future in that regard.

Four years at a technical college was not the answer. Immediately after my four years at the college—the very next day, in fact—I was ushered to present myself to Her Majesty the Queen for two years' national service.

There, it became very apparent to me that we could really do something with the human resource. Prior to that, I had not much of an idea as to what we could do with the human resource, even though I had been brought up during the war years with parents—one parent in particular, my mother—in private business. She grew quite a small empire on her own during the war years. Even with a family business background and a college education, I still found in the military that we were not equipping ourselves with how to manage the human resource. It was simply not talked to on the curriculum.

After my two years' military service, I got myself to university instantly. I hide the fact that I'm an industrial psychologist—it never has done me any good—and I keep the letters from my name. I hope that doesn't deter you from what I'm going to speak to today.

Following my four years at university, I was hired by the fifth-largest corporation in the world, my first and last employer, for four years—Unilever, out of the UK. I was made responsible in my early 20s for 500 salespeople, the national sales force.

Following that, I opened up my own businesses, seven restaurants in a place called Cheltenham, in Gloucestershire. I had 175 staff and during that period of time I became terribly interested in human resourcing. That is, I was asking the question daily of myself, "What is my role in this business?" Incidentally, the foundation of the business was 21 years prior to my taking over ownership. Most of the people in that business knew more about that business than I did. However, it was my job to take that business into the future, using all resources including, most importantly, the human resource. I had discovered from personal history that training and development were on the back burner and totally misunderstood and misdirected. Neither colleges nor universities were talking to the needs of industry—that is, "Give us the tools to do the job."

It is not, with all due respect, your responsibility to provide a profit on the bottom line in a free enterprise, capitalist society. You will end up taking the blame for everything, like, "Give us jobs" etc. It is not your job to do that. It is, however, I will agree, your job to provide a base—ie, college education, university education—whereby the men and women in industry can take the product of those areas and work with the tools you have given to them over the years ahead.

Back to my time of ownership of restaurants: I spent endless hours trying to work through various organizations in my district—Rotary etc—on a method by which to better

deploy my people and to better plan what they were going to do. I drew a blank, so I sat and burnt the midnight oil and developed a program myself. I became quite noteworthy in the country for my endeavours, and the British government, 25 years ago, knocked on my door from Whitehall and asked me if I would mind, with a team of others, designing and installing Britain's 52nd industrial training board, which happened to be the last industrial training board in Great Britain.

I did so. I put my business on hold, into management, and off I went for four years to convent, to the British government. We placed a tax, if you like, a levy, on industry to grab its attention. We had the courage of our convictions that training does pay. "Prove it." That was a terrifying experience and a very hard job to do. Certainly, if one is to just generally discuss it, you can, in fact, prove it on paper. But does it work?

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For four years we levied industry—an entire nation. First of all, in the first year, 2.5% of its annual payroll was grabbed from the hospitality and tourism industry. That got the COs' attention. We had a cutoff point of those with less than 50 personnel. These did not pay, although they could opt into the system. We decided not to use our college system, as we were the 52nd industrial training board, not the first, so we had some history to go to. We would not use the college system. We would develop our own programs, our own ministry, and we would open up training centres to do the following.

In the first year we announced our program. First of all we said that in any one year no one in industry could take out more than they'd put in. That's important to note, because other boards had in fact gone bankrupt by not capping—ie, engineering. Most of today's engineering training schools in the UK are at taxpayers' expense. With 2.5% of the annual payroll, we decided to do the following. The COs came on one-day seminars to learn about what human resourcing is; what training and development are—what is the difference between training and development, incidentally; manpower planning; staff utilization; and training to the bottom line, in outline.

The plan of action was this: that every person responsible for overseeing the work of others had a dual responsibility to train and develop their subordinate staff. To do this today we have to mandate it, because we are not doing it in this province or in Canada. We need industrial trainers. The colleges cannot hope to cope with the onslaught of training and the necessity of training.

We must train and develop 10-day instructors, people who can train off the job and on the job, plan and coordinate training in the workplace. We must produce on-the-job trainers, certificated for claiming purposes. We are not doing that.

So I have to say that this bill, Bill 96, in my mind, is dead, but it should be resurrected. The tools are already in place to produce a training and development scenario already; you do not have to spend a dime. You have at each college a Ministry of Skills Development office, men and women going out daily trying to sell the services of their college, which is wrong. They see themselves as a feeder group to the faculty and they should not. Their job is to go out and make industry understand the need for manpower planning; training and development; forecasting of labour needs and requirements; what

jobs are required, by when; what are the skill sets required; who's going to do the training.

Industry has to be given the tools to come up with those answers. They do not have a tool to do that and so it necessarily follows on, does it not, that the government finds itself also in the position in planning that it does not have a socioeconomic plan, which in 1992 I find disgusting.

I would use the colleges as they are set up and use the Ministry of Skills Development people and move them out into industry. This is the last selling job I'm going to do. All that you've heard today and you will hear for the next few weeks or months will talk to the need of a product, a system, to manage all this. It's completed. It is in the hands of the Canadian military, a major technical college in Ottawa and Ross Perot in the US. Not only will it produce manpower planning and training and development, organizational design, pay equity, affirmative action, WHMIS—all of these things are in this package and more. Guess where it's going? It is going into the hands of industry. Industry will be taught how to do human resourcing and it will be given a watertight tool, like an accounting tool, to do it.

It will probably come as a pleasant surprise to you to know that job descriptions have gone and that policies, procedures and technical manuals have gone. They are outdated—disappeared. This is training and development 20th-century style, not management by committee to try and decide what it is that we ought to be doing.

Ladies and gentlemen, we do not have the time to find out what we should be doing and trying to reinvent the wheel. In 1976, I was asked to put a report together on the German model. Today, Humber College is one of the colleges looking at it. We are 20 to 50 years behind our competitors. We have a superb college system, an absolutely unbelievable resource in that we have hydro stabilized, not like when I go to the Philippines etc and they have one computer in the Ministry of Finance and they have brownouts every day. How dare we not use these facilities? How we dare is that we just don't know. What you don't know kills you.

We do not have the time to waste. We must get very busily engaged in producing a knowledge-based society. I appeared before the senior technocrats and bureaucrats of this country 12 years ago, through Flora MacDonald, and I pronounced exactly what was going to happen right now. What has happened? The depression.

I said to them that it's simply because the majority of men and women in the workforce have leveraged on their finances, their domiciles etc, not on the knowledge and skills that they have acquired. We have to develop a society where its very foundation and future and the progress of every individual and organization in the country are based upon the knowledge and skills that they can apply, not leveraging.

Mr Chairman, I could say more, but my time is unfortunately up.

The Chair: Thank you, sir. Five minutes per caucus. Mr Ramsay, please.

Mr Ramsay: I'm going to defer to Mr McGuinty.

Mr Dalton McGuinty (Ottawa South): Thank you for your presentation, Mr Phillips. I have so much to say in such a little time. I'm still a bit confused and I'm going to ask you

specifically, please, to tell me, if I ran a business enterprise here in the province, what would carrying out your recommendations entail? What would that mean to me?

Mr Peter Phillips: It would mean that you would put a mandate on each one of your managers and supervisors and future managers and supervisors to plan, organize, control and lead training in the workplace. They would be responsible and accountable for the training of their subordinate staff. They would have to plan each department. They would have to plan the training, the needs, do a needs analysis, both of accidents, attrition, wastage, productivity, and then turn around and produce plans to develop those people in those need areas.

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Mr McGuinty: What incentive would I have to do that and how would I pay for it?

Mr Peter Phillips: First of all, we acknowledge that people are our greatest resource and that knowledge, therefore, and skills are resources. So we have to have a system that measures the value of the knowledge and skills. We can now put a book value to how much a job is worth by design, and you and I can design the job finitely—I mean finitely. We can then match people to those jobs finitely and we can produce automatically training and development programs for each individual in our business. Those training programs go into our instructors' hands in each one of our departments and the people, all of them, their brains are massaged daily, involved in training and development, implicating them in the knowledge and skill transfer.

When you've done that and you've passed on knowledge and skill, that is what we would call value added. We now know that our people are working more efficiently, more productively, doing the right things in the right way at the right time. That shows on the bottom line. Not only that, we now measure and have a system to measure not only training, but knowledge and skills, which means this: If I train you, sir, in something, and my organization knows the value of that training, you will find another 10 cents or 20 cents or whatever it is in your pay packet, and we say: "Thank you very much. The reward is yours." Training and development pays to the bottom line. That's only one benefit in one portion of the program.

Mrs Cunningham: Is it my turn? Thank you for being here, Mr Phillips. You certainly caught everyone's attention. I noticed that people were listening. I have a couple of questions.

My assumption from what you've tried to tell us today is that we probably do have a training structure in place. I know you must be aware of the CITCs, which are the local boards—

Mr Peter Phillips: I was personally responsible for a number of them.

Mrs Cunningham: Okay, and you obviously see a different role for the people who are now presently working in Skills Development, for the ministry.

Mr Peter Phillips: Yes, indeed.

Mrs Cunningham: I listened carefully to that. Then you talked about your own experience in Great Britain with the training board. I wonder if you'd take just a few moments.

The minister yesterday in his notes, when he addressed the committee, talked about the need in Ontario for establishing, I think his words were—I'm going to get this right for you—agencies to address labour force development needs. He referred to such nations as Germany, the United Kingdom and the Netherlands. Here we have someone from the United Kingdom with us today.

Mr Peter Phillips: I'm fully aware of the other purviews.

Mrs Cunningham: Yes, and that's what I want you to tell me about. I'm a little bit aware too. I have travelled and spent some time with the 17—not all of them but 13 of them, and I think that's pretty good—and I see some of them working better than others, depending on the area of the country and the people who are working on those boards. But I wonder if you could enlighten us around the model in the UK today and tell us whether you think that's working or not.

Mr Peter Phillips: I would pronounce the German model dead in the water and the UK model dead in the water, and I pronounced that dead in the water 20 years ago. But I did not have high technology at my fingertips. Thirteen years ago, I presented the answer. In answer to your question, you can go through the motions. Training and development is a very demanding—if you were to ask me what I feel about training and development, it is not soft-sectored. Interview, selection, orientation and things like that are generally soft-sectored, can be measured.

But if you're going to, say, training—you see, what we've got to do is that we've got to differentiate between training and development. It's very much like people having problems with job descriptions when you talk about duties and responsibilities. What is the difference? The dictionary definition of "training"—it's an old military word—is "that which must be done." That means you're right at the fountainhead doing it. That's in industry. Development, for all practical purposes, is a longer protracted situation, a course of development. So you get training boards and development boards. We have in this a training board, but it isn't a training board; it's a development board.

Mrs Cunningham: Where is there a model that we should be looking at that you think is working? In what country has that been adapted?

Mr Peter Phillips: Canada.

Mrs Cunningham: In many parts now?

Mr Peter Phillips: No. We're moving it private sector into Canada. It will probably go out to Newfoundland very shortly, and it may be Mr Clinton's answer to his opportunity in human resource development with a 3% levy across all industry.

I have to say, in all justification and truthfulness, that most of the initiatives in Europe have paid. We do have an awful lot of skilled people. They haven't been able to keep them. They've left the country, which is part of a problem, because you're not really wanting to train them to leave. Likewise in a business, you're not wanting to train them to leave.

Mrs Cunningham: We're doing that in medicine here in Ontario.

Mr Peter Phillips: Yes, and you know, there are many adages to this. You can in fact find that if you're the only one

training and you cannot provide a future for your people, they will leave you, but you do have the value of them when they're with you. When they leave, someone else picks up that value.

The idea and the trick of it is this: Everyone must train. It is an orchestrated effort where we say: "All together now, we have a system, a mechanism of training and development. Okay, go."

The past models have worked, but not profoundly. They served the purpose at the time.

Mr Gary Wilson: Thanks for your presentation, Mr Phillips. You certainly draw on a long experience. I'd be interested, though, in your comments about what we're trying to do here with OTAB, which is to bring together a number of different interests. It's a shared responsibility between government and the people who are actually providing training and in need of the training. In your presentation, I wasn't quite sure where you place, say, workers in your perspective and what they can contribute.

Mr Peter Phillips: Well, sir, at the very foundation of the system. I'm placing in the workforce hands, the men and women on the shop floor.

Mr Gary Wilson: I just wondered, though, how you tapped their experience or how you involved them in making decisions regarding training, both, again, in the provision and—

Mr Peter Phillips: Certainly, their managers and supervisors, not like at the present, are working side by side with them, probably daily, on installing new knowledge and new skill. Those people will certainly applaud that, particularly when they have pay in their pay packets and they have a future, because training demands that an organization is also planning. I think certainly as far as the people themselves are concerned—training, you know, once it's under way, is a two-way street. If we start communicating and we start understanding what a job is, for instance, and what tasks are, and I am repeatedly doing certain tasks in a certain way, once I understand the analytical methods, I can now talk to you.

Mr Gary Wilson: Could I just ask you, though, how you propose giving workers a voice so that they can get their views across?

Mr Peter Phillips: I just mentioned it.

Mr Gary Wilson: Oh.

Mr Peter Phillips: They can instantly be part of the feedback system. When you have manager-supervisor and blue-collar whatever, white-collar in the structure, they are going to start communicating with purpose. They will forge understandings. They will start remodelling what they're doing, focusing in on detail. That detail can be taken by the instructor and put back into the model and the persons can be rewarded for restructuring, because the benefits can be known to the organization, the changes that were made. So workers will be participating in a very big way.

In the future, I would say that the majority of the workforce will also be in a position to pull in the base of information, that which they're given authority to do, look at the information, and massage it for everyone's interest. You have that going on a great deal now with certain mailbox systems.

The Chair: Mr Phillips, on behalf of the committee, I thank you, and your company, of course, for your interest in the matter and for your insights and for your willingness to come here and share those with us. We appreciate it very much. You've made a valuable contribution. Thank you, sir. We trust you will keep in touch.

Mr Peter Phillips: Yes, I will. Thank you very much.

The Chair: Just prior to recessing, I want to note that the scheduling here is rather tight. It's on the half-hour. There's no provision made for time frames between the participants' participation. I'm suggesting, so as to accommodate those people who schedule their time to come here, that the committee start promptly, notwithstanding that all caucuses may not be represented. Unanimous consent? Thank you very much. We're recessed till 2 o'clock.

The committee recessed at 1200.

AFTERNOON SITTING

The committee resumed at 1401.

COUNCIL OF ONTARIO
CONSTRUCTION ASSOCIATIONS

The Chair: It's 2:01. We're ready to resume. The first participant this afternoon is the Council of Ontario Construction Associations. Would the person or persons speaking on their behalf please come forward and have a seat. Tell us your name and title or position, if you wish. We've got your written submission, which will form part of the record. Tell us what you will. We've got 30 minutes. Please try to save at least the second 15 for questions and dialogue. Thank you, sir. Go ahead, please.

Mr David Surplis: I'd be happy to do that. Thank you, Mr Chairman. Thank you, committee members.

My name is David Surplis. I'm president of the Council of Ontario Construction Associations. We've been here before this committee before, but in case you've forgotten, we represent 49 regional and trade-specific associations in the management of the industrial, commercial and institutional side of construction. We represent over 95% of the construction industry and provide employment for approximately 350,000 workers, over 100,000 of whom are organized.

We are also known, I think you should know, for our tasteful and thought-provoking billboards which appear in cabinet ministers' ridings from time to time. But more about those later.

I have also represented the construction industry on the business steering committee for well over a year.

The points that we have to make are brief and to the point, so I figure we should get at it so we'll have some time for dialogue. I want to make clear at the outset that COCA stands 100% for the idea of training our workforce. Our members are acknowledged leaders in the apprenticeship field and have been so for many years. We do, however, have very serious concerns about the way training and adjustment are being approached in Bill 96. Our concerns fall into three categories: political, bill-specific and industry-specific.

First is the political. In terms of explaining our concerns about Bill 96, it is important that we look back a few months to our previous appearance before this committee on Bill 40, because the handling of Bill 40 directly affects our reception of Bill 96. Those few months ago we, along with every other business organization in the province, came here and pleaded with the government to make the topic of change to the Labour Relations Act a true bipartite and consensus process. We were ignored. From our point of view, of course, we realized that we had to be ignored because the plan was to fulfil a pledge made to the Ontario Federation of Labour by the NDP and was never anything else.

In retrospect, the plan to pass Bill 40 was extremely simple:

(1) Make a list of every wish any union organizer has ever had since Spartacus organized the rowers and throw in a few truly outlandish proposals, like removing the right of free speech from employers.

(2) Drop the most outrageous proposals one by one and get the unions to scream loudly as each one is dropped.

(3) Muzzle the opposition by changing the rules of debate in the House.

(4) Claim that the bill has been shaped in response to the business community's objections.

That isn't, we know, the way that the government members view things, but that is precisely the way that we and a great many other organizations view consultation on Bill 40.

Mr Laughren has said that anybody with his head screwed on right knows that a socialist government will pass legislation changing labour laws, and of course he's right. But we're here to tell you that Bill 40 was so completely one-sided and its passage so heavy-handed that it repulsed ordinarily disinterested parties. So anyone in the government caucus who believes that Bill 40 was the result of consultation or consensus or that it will lead to greater cooperation between labour and management is deluding only himself. As the Environics-Star poll showed last weekend, the actions of the government are becoming transparent, certainly on that issue, and the public doesn't like what it saw.

My own belief, for what it's worth, is that the government could have gained far more points if it had simply come clean and said, "Look, we're a socialist government and we're going to ram through legislation to favour unions and bolster our party treasury." At least then the business groups would not have been frustrated by participating in a consultation process that wasn't.

The problem is that it doesn't seem to have registered with the government caucus that Bill 40 seriously poisoned relations with management. We knew on September 7 that we would have to work with a socialist government for at least four years and we were prepared to do that. We wondered if the NDP would work with us, however, or whether it would continue to see as an enemy. Bill 40 merely confirmed our worst fears.

Ironically, the point I'm making was made probably better by Buzz Hargrove in the Toronto Star in the year-end wrapup when he said that despite Bill 40 labour's overall gains were still better under the government of Bill Davis than under Bob Rae so far. Whatever his reason for saying that, the point is he's completely correct in pointing out that other governments frequently brought in legislation enormously beneficial to labour. What government do you think brought in the Rand formula, first-contract arbitration etc? The NDP, on the other hand, has not introduced a single piece of legislation remotely favouring management. In fact, what we see is a growing list of attempts to stamp out entrepreneurship in auto insurance, rental housing, day care, home care, health care, and the list goes on and on.

Not to put too fine a point on it, we have no reason to trust the NDP or the OFL, especially when we're hailed as partners. What I'm saying is that despite repeated claims about OTAB being the creature of consensus among and between partners, there is a distinct odour of gerrymandering lingering in the air.

COCA wonders, for instance, about the composition of a so-called labour delegation. In a democratic and obviously imaginary world, how could the Ontario Federation of Labour, an organization that represents less than 20% of employees in the private sector, be appointed to speak for 87.5% of the entire workforce? How could construction workers who are involved in almost 50% of all apprenticeship hours in the province be relegated to a 12.5% voice?

In a democratic world, how could Bill 96 provide for a governing board to include 12 representatives of employees and only 8 representatives of employers? How could there be no procedures contemplated to protect the employers from being outvoted on every issue favoured by the employees? Just think about that in bare ABC terms.

The minister has responded that members of the governing board will not "be there only to represent this group or that group or another group; not at all." But the minister's statement begs some further questions. If members—of the board, that is—are not to act on behalf of specific groups, why is it that the labour delegation must come from a specific group? Why is it so important that the federation of labour be designated, not in regulations, not in bylaws, not in policy statements, but in the act itself?

Can't anyone on the government side see the anomaly and bias in those actions? Can't anyone see that we in the business world would be suspicious? What we heard when the minister gave his response in the House was—this is our translation: "Board members in general must not reflect narrow interests, but the labour members must all come to OTAB meetings via Gervais Drive."

We at COCA had suspicions about the handling of OTAB since the inception of consultations, but we played along in good faith, hoping that Bill 40 was going to be the one big payoff to the unions and that Bill 96 would be different. We weren't naïve, however, and from the very announcement of OTAB in the fall of 1991, we made plans in case the deck would be stacked against us. I was instructed bluntly to withhold any nominations of construction representatives to the OTAB board until we got assurances of a mandate that would be satisfactory to business and that we would not be outvoted.

Another political manoeuvre that concerns us relates to a mandate statement. This is very important, because the minister mentioned the mandate in his remarks yesterday. We in COCA supported the business steering committee, which worked diligently over many months to develop that mandate statement. We supported the general principle that OTAB would focus on private sector regeneration and would be open to all workers and all trainers. The OFL, however, was opposed to many of our proposals, particularly those which made reference to competitiveness and all trainers and so on, but we carried on.

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Imagine our surprise and dismay when we discovered that all discussion of a mandate ceased on November 23 when Bill 96 was introduced. After many months and hundreds of hours of deliberation and negotiation—by all parties, I might add—the mandate simply disappeared. We understand that the minister and OTAB staff consider that sections 1 and 4 of the bill approximate a mandate, but it is our view that we

were euchred on the issue of a mandate. When it looked like the mandate would present a political problem, it was simply removed.

So what is it we are feeling so strongly about? Well, one of the main concerns has to do with the subtle changes since the issuance of *Skills to Meet the Challenge*. That booklet, authored by the government, obviously, had economic objectives for OTAB. Economic competitiveness was mentioned highly.

Another serious concern is that we had always understood that the principle focus would be getting people trained to improve Ontario's competitiveness in the private sector. The statement from *Skills to Meet the Challenge* is that "Although much of OTAB's mandate is directed towards the private sector, it is expected that some of its initiatives and activities," blah, blah, blah, will be in the public sector and "would apply to public sector employers as well."

Where we had an emphasis on the private sector, the labour steering committee always wanted, to be fair, public employers, with their large unionized workforces, to be covered fully under OTAB. So we went back and forth on this. We haggled and argued back and forth all summer, but it was never agreed. There was never an agreement on that statement in the mandate. Imagine our surprise when we open the bill and find that the very first goal of OTAB now gives equal emphasis to private and public employers. So, as I say here, not entirely tongue in cheek, chalk one up for Fred Upshaw.

We are also concerned about the subtle changes in the scope of OTAB. Originally it was stated, in that booklet I mentioned earlier, that "OTAB will have financial and administrative control over Ontario's publicly funded training and labour force adjustment programs." A fact sheet issued with Bill 96 on November 23 said, "A single, coordinated organization, OTAB, will better be equipped," blah, blah, blah.

Apparently those statements are incorrect, because our reading of the bill is that OTAB will not become a single coordinating agency. It simply will have control over many of the programs currently in government. The funds as the minister indicated will similarly not be what we thought and will only reflect the budgets of the agencies transferred to OTAB.

I would mention briefly in passing that the business committee did not want built into the bill some kind of contrived support for the public education system; in other words, a favouritism of the publicly funded education system over private trainers and others. However, as you know, in paragraph 4(1)16, not only did labour's views get recognized in the bill—it's not that they "recognize" the strength of the publicly funded education system, but OTAB apparently is going to "seek to ensure...the strength of Ontario's publicly funded education system." That doesn't make any more sense to us than saying that they're going to ensure the strength of Ontario's publicly funded transportation system.

Bill 96 is vague, loose and open-ended. We worry that unrealistic expectations have been and are being raised that OTAB will be involved in many more programs than training. The debate to this point does not give us any reassurance that costs will be contained to training or that social programs will continue to be the responsibility of other ministries. We need the government to make a clear statement on that, because we

worry, every time we see these open-ended programs, about labour's, the OFL's, stated demand that we're going to face a new training tax to pay for.

Briefly, in conclusion, in this last minute, I want to mention very specifically the importance of voting blocs to us and to the business community. It is the unanimous position of the business steering committee that we will not submit a single name for the governing board until we get a guarantee that we will not be outvoted routinely on OTAB's lopsided board.

However, with the memory of the change in the rules that just happened to coincide with the introduction of Bill 40 and all the other deceptive tactics surrounding that legislation, we're dubious that the government will be allowed to entertain that. By the way, I might say that we would be happy, very happy, to be proven wrong. These are speculative, but we would be very happy to be proven wrong.

Another reason for our suspicion are things you'll already know about at the Workplace Health and Safety Agency. Early in the OTAB negotiations, the labour steering committee joined with the business steering committee and asked Dr Allen for a double-majority system. However, when the OFL found out that pressure applied to the management caucus at the Workplace Health and Safety Agency could get labour's wishes acceded to, they mysteriously withdrew their support for the principle.

So we therefore see Bill 96 progressing like this—here's the speculative part: We're going to have three weeks of hearings. There'll be some talk with us in our committee about a double majority and so on. There will be minor, if any, amendments to the bill. The House will come back in early April, and after the speech from the throne, it will be given third reading, probably under closure. No one will have agreed to a double majority and business won't submit any names. The minister will then be forced to rise and say something like, "We're being held up by management for partisan reasons, so therefore I'm naming the government's business representatives to the board."

So it is our view—and this is perhaps where I'll conclude, because we do want to talk some—that without any guarantee of protection from bloc voting, effective control of millions of dollars of training funds will be handed over to union leaders: game, set and match.

There is no doubt that these statements sound cynical and even paranoid, but let me remind you, we weren't wrong on Bill 40. We'll just have to see this one out before you make any judgements about our mental health. At the very least, there has to be an amendment or a firm policy statement by the minister that the voting procedure on OTAB will require a double majority.

As you can read at your leisure, we have some industry-specific concerns about construction being submerged. We have an excellent, top-flight apprenticeship program in many of the trades in construction. We don't need to have it reformed under the reform council, yet we're only going to have two votes out of 22 on the apprenticeship reform council under OTAB. We question that seriously in the construction industry. We gathered, when we came before this committee, I believe it was, on the rent control, that the industrial unionists didn't understand our trade unionists and the concept of the hiring hall. So please have a look at those things.

I'll just conclude by saying that other groups from construction, in particular the building trades council, will give you more specifics, but that's where we stand. We have entire faith in the training system, but we don't have faith that Bill 96 will achieve its goals in a fair and balanced manner. That's what we came here to tell you.

The Chair: Thank you, sir. Ms Witmer, four minutes, please.

Mrs Witmer: Thank you very much, Mr Surplis, for your presentation. I think you've accurately dealt with some of the issues that have faced this province and the way in which they've been handled. I'd like just a little bit more discussion—you talked here about education, on page 13. I'm not quite sure what you were—

Mr Surplis: The emphasis on public education. In a nutshell, the business community simply wants that private trainers, public trainers, school boards, colleges, universities, everybody, would be in the mix and there wouldn't be any preference given to one or the other. Because obviously we want the best training, and if the best training happens to come from a university or college, great. If it happens to come from a private trainer, the OFL would deny us access to that. That's what we're saying. We don't want a bias towards, say, the publicly funded education system just for the sake of a bias.

Mrs Witmer: Thank you very much; that certainly helps. Then you talk about lifestyle training, that you heard a great deal about lifestyle training. How do you perceive that? What's your definition? What's that going to be?

Mr Surplis: Perhaps you could ask Mr Gerard and others when they come before you, but lifestyle training had to do with driver education, baking, some of the things we heard about, obviously English as a second language, which nobody would quarrel with, but whether that should come under OTAB or another program of government is certainly to be discussed, but that's the lifestyle we were talking about.

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Mrs Witmer: The original purpose of OTAB, and I think you've made reference to it, was that it was to create a more knowledgeable and highly skilled and adaptable private sector workforce.

Mr Surplis: That was our understanding.

Mrs Witmer: And you've seen that focus change entirely.

Mr Surplis: To be fair, right from the very beginning, the first day we sat down, the federation of labour said, "We don't agree with that; we want public employers covered under OTAB, period," and it has not varied from that. That is their demand: They want them covered, period. We have said no, that governments aren't in competition with each other. Our industries are competing with Ohio and Pennsylvania and China and Japan and everywhere else. Governments aren't. The governments can have their own programs, no problem, but we think the emphasis was to be on the private sector and should remain on the private sector.

Mrs Witmer: That was our initial thought as well, that that's where the direction was to be, and we see that direction has changed entirely. We're very frightened, as obviously you are and the rest of the business community, about the direction OTAB is going, and we see a similar handling of this to

Bill 40. What would you suggest at the present time? We're now involved in three weeks of hearings. It's interesting. We haven't been able to fill all the places, nor was there enough interest to travel outside of Toronto. What should the government be doing? I can tell you, you're the fifth presenter today, and everyone has expressed grave concerns about Bill 96 and the fact that it's not going to accomplish what was originally intended.

Mr Surplis: Believe me, we want it to work. That's why we're there; we're not there for any other reason. We want it to work. We would like to, for instance, just sit down with the minister—perhaps I was out of town or something around November 23, but I have never had an explanation as to why there's no mandate statement. I mean, it looks bad that there is no mandate statement after working the whole year to get one, and now there isn't one. Why? It looks like somebody's fiddling. Maybe the government isn't fiddling with this one, but tell us. Sit down. Take us into your confidence. Why are you doing things this way? Why are things written in OFL language and nothing in business language etc? Maybe that's a wrong impression, but no, no answers. I noticed in debate on second reading that there were very few answers to members' questions from the minister.

Mr Gary Wilson: Thank you for your presentation. I apologize for not being here at the beginning. I'm going to give some time to my colleague Mr Sutherland, but I did want to say that, although you haven't been here either, you might be misled by Mrs Witmer's remark about the presenters today. Certainly I've heard a lot of support for Bill 96 in the presentations we've heard up to now. It's true it's been, I would say, critically supportive, that there are things in here that not everyone agrees with, but I think that's to be understood.

I'd just like to single out your remarks on Bill 40 as an example, because we certainly hear too from other segments of the community that Bill 40 could have been different, from a perspective I don't think you would support; that is, that it could have been stronger on labour issues.

It is a question of reaching this balance. You've been involved with the consultation for quite some time, so you know that we've put a lot of work into canvassing the training communities, or at least the people who are involved in training, to make sure we cover all the issues. Our perspective, as you know then, is one where we want to share responsibility with the people who will be carrying out training and who need the training; that is, the labour market partners, as we're calling them. Doing that, there are going to be different viewpoints that we hope will be balanced through the legislation and the structures we set up. I'd just like to hear from you what your perspective on that is, how we do accommodate other points of view in an operation like this.

Mr Surplis: Among other things, for instance, Mr Phillips of the Liberal Party mentioned this months and months ago, before the business community even looked at it. He said, "Would you invest in a company that had a board of directors looking like this: 12 representatives of employees and eight representatives of employers?" Whatever you say about that, that's the reality of it. There's 12 of them and eight of us.

Mr Gary Wilson: Excuse me, that's Mr Phillips's reality. I wouldn't say—

Mr Surplis: No, no. That's our interpretation. I'm sure you heard that from the chamber of commerce this morning, my colleagues.

Mr Gary Wilson: Not really. There's no question that that's not the way this is set up, that it's eight and 12. First of all, we have a public interest that we've recognized, and I think you do too: the public interest that comes from appropriate training and how we meet that. We expect that the people who will be the directors, the governing board here, will represent the public interest and not specifically the sectors they come from. To say specifically that people will fall into those two groups, disproportionate as they are, is clearly not going to happen. Again, the view is that the people who will be appointed here will be expected to have this community interest. As you know too, there is strong government accountability here that will make sure that OTAB does serve this public interest.

Mr Surplis: Well, as I said earlier, I hope you're right. I don't think you're right, but I hope you are.

Mr Sutherland: I'd just like to correct a few things for the record. First of all, nowhere in the legislation does it mention the federation of labour by name. It says business representatives.

You talk about only education. If you look at section 4 under the objects, paragraph 15 says—

Mr Surplis: It says all resources. And what does 16 say?

Mr Sutherland: And 16 says "publicly funded," so it's talking about balance. It's talking about using both of them, Mr Surplis.

Mr Surplis: What's 16 doing there?

Mr Sutherland: I also want to say that you mentioned that only two representatives would be on the reference councils for apprenticeship. I don't believe the decision on the composition of those reference councils has been finalized yet.

Mr Surplis: It says eight, eight and six on all the diagrams, the same as—

Mr Sutherland: I don't believe the reference councils will necessarily take on the same composition as the board itself.

You also talked about there not being any language about business. I want to point out that in the purposes, under clause (b) it talks about giving employers, workers and potential workers a chance for "labour force development programs and services that will, in the context of the competitive Canadian and global economies and in the context of a fair and just society..." So I think what you've got here is a balance of the two in terms of justice issues, and of course economic issues. They both go hand in hand and are important to work together.

Mr Surplis: Do you want me to respond to that? If you just do a tally, though, of the social objectives—which we're not objecting to; nobody objects to that—"social" and "equity" and "access" and all that kind of stuff, and you found one word in one part of the bill. You said "competitive Canadian economy" or something like that. That's one word that's supposed to represent business.

Mr Sutherland: There are other references.

Mr Surplis: No. We wanted the focus on competitive, private sector Canadian economy. We thought that's what OTAB was going to do: train people, retrain people. We want that.

The Chair: Mr Offer, please.

Mr Offer: Thank you for your presentation. In the time available, I'd like to canvass a couple of areas. Just by way of opening comment, though, it's a personal feeling on my part that when people are appointed representing certain areas, whether they be business or labour or educators, it is absolutely incredible that are members of this committee who do not think they're going to bring those particular interests to the table and not some wider interest; that's what they're there for. It is absolutely ludicrous to think that people are not going to be bringing those interests to the table from the areas they have been appointed to represent.

My question is on the area of the double majority. It's been brought forward a couple of times today. Would many of the concerns around this legislation—and I have some concerns because so much of it is regulation—be met in the event that there was a double-majority requirement?

Mr Surplis: They may be. The reality is that we agree with the minister in the statement that what we would like is consensus. The Canadian Labour Force Development Board in Ottawa, for instance, operates mainly on consensus. They have a voting procedure, double majority and so on and so forth.

But what we would like to point out to anybody who talks about this is that when you get to a point where one or the other side says, "Hey, wait a minute; we're being bulldozed here," that means consensus has broken down. The signal should be immediately, "Go back and bring in something else," because it can't be agreed upon. But that isn't going to happen, so we want a legislated answer.

Mr Offer: And there is certainly some experience over the recent activities around the Workplace Health and Safety Agency which bring forward—

Mr Surplis: Absolutely. It scares us stiff. We know what happened in the Workplace Health and Safety Agency.

Mr Offer: Dealing with the issue of funding, we heard yesterday that there's going to be \$400 million or \$500 million dropped into this structure. When you look at the legislation, it talks about OTAB being able to charge for services; it talks about it being able to invest. The question I have is, is there a concern among your group that this may be the beginning of funding coming directly from employers, being moved from general revenues, being moved from what was government funding and being the beginning of funding training coming straight from employers?

Mr Surplis: No, I don't think so. For instance, I believe the minister has pointed out that this agency will not have taxing powers, will not have its own money-raising powers other than borrowing, I guess. But that aspect worries us. I was just at a meeting this morning, worrying about the \$11-billion unfunded liability of the Workers' Compensation Board. We don't want that again; that's madness.

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Mr Offer: My concern is, if it doesn't have taxing power—and that's a good power not to have for the group—

but when it can charge for services, is that being able to do, in effect, the same thing but wearing a different coat?

Mr Surplis: I must admit I don't believe that's the intent. They're not going to charge clients, but you'll have to ask OTAB staff or the minister or somebody to explain that more.

The Chair: Once Mr Surplis is finished with his time, you can make any direction or inquiries you want. Anything very briefly, sir?

Mr Offer: Yes. What's your thought with respect to the OTAB structure being more of an advisory group than one which is a mandatory group?

Mr Surplis: An advisory group would be much more preferable to us and certainly to the chamber of commerce, I know that.

The Chair: Mr Surplis, I want to thank you and the Council of Ontario Construction Associations for your participation and your interest. You have made an important contribution, along with a whole lot of other people and organizations, and we thank you for coming. Take care, sir. Please keep in touch.

PUSH ONTARIO

The Chair: The next participant is Persons United for Self-Help in Ontario. Please come forward and have a seat. Please give us your name and your title or position, if you wish, and tell us what you will. We've got the written submission; that's going to form part of the record. We've got 30 minutes. Please try to save the last 15 at least, preferably more, for questions and exchanges. Go ahead, ma'am.

Ms Carol McGregor: Thank you, Mr Chairman. My name is Carol McGregor. I'm the executive director of PUSH Ontario, Persons United for Self-Help, and the chair of the steering committee of people with disabilities on OTAB. I would like to thank you for the opportunity of addressing your committee today on Bill 96, An Act to establish the Ontario Training and Adjustment Board.

PUSH Ontario was chosen by other consumer organizations in the province to coordinate people with disabilities around the province in choosing their representative to the governing board and to consult with the provincial government. We're grateful to the provincial government for funding us to choose representatives from across the province and for ongoing funds to keep the steering committee involved throughout the process. This type of funding must be maintained if the reference group, when it is established, is expected to support its delegate.

We were delighted that the province has entered into an agreement with the federal government to be primarily responsible for training. As a constituency, people with disabilities remain underrepresented in the labour force; as a constituency, we've been subject to substandard education; as a constituency, we've been unable to access training on the federal level in any meaningful way, particularly now, when those not on UI are not eligible for training.

The federal government has made a commitment to Canadians with disabilities in the national strategy for the integration of persons with disabilities. This plan was formally announced in September 1991 by Prime Minister Mulroney. The goal of economic integration is stated as one of the main issues in the plan.

With respect to employment and training opportunities, the government of Canada has offered: "partnership with employer and training institutions to provide employment and training opportunities for Canadians with disabilities, encouraging labour, industry and labour-management groups to promote long-term integration in the workforce; and implement new direction in employment equity policies."

We were very encouraged when the Prime Minister made this announcement. This community has been striving to access some form of training for decades. The Coalition of Provincial Organizations of the Handicapped produced a report called *Willing to Work*. It was conducted by a national study group and presented to the federal Minister of Employment and Immigration to see if the Canada employment centres' services could be made accessible to people with disabilities.

The implementation committee, on which I happen to sit, has been working with the federal government trying to break down some of the barriers that are preventing people with disabilities from accessing employment and training. We believe that the provincial government must reaffirm this commitment by the federal government, if people with disabilities in Ontario are going to be able to access training.

Full and effective participation for people with disabilities means that our special needs will be accommodated. Some of the issues that have been identified by our steering committee particularly relating to access are as follows:

For people with disabilities, accessing training programs continues to be nearly impossible. Criteria set either at the national or local levels have routinely favoured those on unemployment insurance. People with disabilities are not on UI; in most cases, they have never had jobs to begin with.

It is essential that the needs of traditionally underserved groups be adequately addressed and that specific resources be allocated to serve the training needs of the employed, unemployed, underemployed and social assistance recipients. For example, people with all forms of disabilities regardless of severity, immigrant and visible minorities, aboriginal people and women must have equitable access to training and education. Geographic barriers which put rural and isolated communities at a disadvantage must also be addressed with respect to equitable access to training.

Where federal policy and regional programs may impact on individuals in varying ways, it is at the local level that people live, learn and work. All efforts made by and for people with disabilities should be guided by the participation and experiences of community members across Ontario. Informed decision-making should reflect the realities in all of their diversity of men and women with disabilities across Canada.

Most training programs in Canada, and particularly here in Ontario, do not allow any type of bridging program that will allow for upgrading. People with disabilities very often do not even have the necessary skill level to access training to begin with. Training resources must be directed to general education and skills training programs in either English or French; academic upgrading for people with less than high school completion and bridging programs for men and women in all areas, including trades and technologies, must be a priority. These programs must be provided as part of a continuum of training to ensure that learners are equipped with

portable skills that are broadly recognized by post-secondary institutions as well as employers.

We heard during the consultations that business was intending to reform the training programs. We have some concern about it and we hope we'll have some input into it. People with disabilities very often do not even access most basic training programs. Most of them are required to be taken on a full-time basis. For most disabled folk, their disability itself would preclude them from taking a program on a full-time basis.

Accessing accommodation: In Ontario it takes almost three years in a northern community just to open up a vocational rehabilitation services file. We are very concerned, for example, that with the federal-provincial agreement—there was no mention in that agreement of providing funding to provide accommodation for people with disabilities. We are not seen as a viable source of labour in this province. Funding, therefore, becomes just at the whim of an employer.

Most training programs target people with disabilities in low-paying ghettoized jobs. There is no commitment to long-term training.

There is no interest from employers to retrain employees who have become disabled while on the job and wish to re-enter the workforce or stay within their own company.

Employee training programs have been abused by employers. Some programs are designed with the sole intention of full-time employment upon completion. In the majority of cases, employers do not fulfil their contractual obligations.

Workplace training programs are best for people with disabilities, yet under the current system, only local level boards can authorize these programs and too often people with disabilities are not even accepted.

Accommodation in the form of human support or technical support is crucial to people with disabilities. As I said before, in the agreement there was no provision for funds for accommodation. If accommodation is not provided through OTAB, then people with disabilities will be excluded once again from training.

Although the province introduced employment equity legislation last June, it did not address in that legislation the problems of employment facing people with severe disabilities. In June, when the minister introduced her piece of legislation on employment equity, she announced that a committee would be struck to examine the issues of employment and people with severe disabilities.

The steering committee believes it's essential for OTAB to work in partnership with the Ministry of Citizenship in order to address the needs of those who are employment-disadvantaged, including people with severe disabilities. The committee might also wish to look at what the German model is doing in terms of the grant levy system. Only 10% of Germans with disabilities are unemployed compared to 80% of Canadians with disabilities.

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Moreover, the steering committee has expressed a concern that in the effort to be cost-effective and competitive OTAB may only be accessible to the most able-bodied of our community. Those with more severe disabilities will not be provided with the accommodation they need to access training.

At this time, the steering committee continues to be concerned with the representation of the equity groups on the governing board. We believe that the views of one disabled person will have little impact on business and labour. This has been reinforced by the situation at the federal level, at the CLFDB, and we have no reason to believe this will change in Ontario. I'd like to point out that in British Columbia, where they're going through the same process, the representation rate there is one third business, one third labour and one third equity groups. Obviously, the equity groups will have more impact on the decision-making processes there.

We had asked that the minister—and the minister did try, I must give him credit for this—try to see if representation from the equity groups could be achieved through business and labour. We are seeing a lot of white able-bodied males; we are not seeing a lot of equity in business and labour. The injured workers are very disappointed, for example, that labour could not see far enough ahead to have one of them sit on the governing board representing labour.

In addition, the steering committee believes it's important that our alternate on the governing board attend all OTAB meetings. This must be permitted so that this representative will not be placed at a real disadvantage should he or she be called upon to act as a director. This substitute obviously should receive remuneration.

In order to ensure that people with disabilities have access to new labour force development programs, the steering committee feels that minimum standards must be established for all contractual arrangements developed under OTAB. Mechanisms must be put in place to ensure that all contractual partners will be delivering training programs that are accessible. Without the minimum standards of accommodation and accessibility, people with disabilities will continue to have a limited presence in the labour force.

While we are aware that the process for nominating local board members has not yet been finalized, we feel it is very important that the provincial government reiterate its commitment to guarantee a consumer seat on each local board and to hold this seat vacant until such time as it can be filled by a consumer representative.

The steering committee would also like to express its frustration with the short time frames around the OTAB and local board consultation process. Due to the fact that we do not have adequate time or funding to do extensive community outreach, and also a lack of human resources as well, people with disabilities who live in the more isolated regions of the province have not been able to become active partners in the process.

I've only highlighted some of the areas of specific concern to our community and I think these concerns demonstrate some of the problems that people with disabilities are facing.

Over the next few years, as the labour market shrinks, people with disabilities may be seen as a viable labour force. However, this may be pure speculation until training is accessible to people with disabilities.

We do look forward to working in a partnership with the province to ensure that training for people with disabilities becomes a reality and for the opportunity of having meaningful input into the Ontario Training and Adjustment Board.

The Chair: We have five minutes per caucus.

Mr Gary Wilson: Thank you, Ms McGregor, for a very interesting submission. Although the representation perhaps isn't where you would like to see it, in numbers at least, I want to remind you that the overall position of the governing body is to reflect the public interest and the social and economic priorities of our government, so that should be one indication of the importance the equity group should have in the deliberations of the government.

Ms McGregor: The equity groups represent 60% of the population. I have seen the Canadian Labour Force Development Board at work. I sit on the national reference group for people with disabilities and I know firsthand that the equity issues are not seen as a priority for business and labour. I'm only reiterating. I think if you hear from more of the equity groups, you're going to hear the same. There was a problem initially and I think it's going to continue to be one unless there is more representation with the other labour market partners of equity groups.

Mr Gary Wilson: You've made that point very clearly and, as you say, we'll probably be hearing it again.

You've also made the point that consumers should be the ones who represent, in particular, people with disabilities, and I was wondering what role you see for service providers in this.

Ms McGregor: I don't.

Mr Gary Wilson: Sorry, you don't. Could you elaborate on that, please?

Ms McGregor: People with disabilities have traditionally been managed by agencies, by service organizations, service agencies, and I'm not saying they don't have a role to play in rehabilitation, but in terms of deciding what is best in terms of training for people with disabilities, we believe that consumers themselves are able to speak.

I have 18 years' education. I can't get a job in the able-bodied workforce because of a disability, but those are barriers. If we can break down the barriers within this governing board, I think the input the consumer's going to have is going to have more impact than someone speaking on what's better for them. Then we're going to say, "What's good for us?"

The reference group, which is made up solely of consumers from all around the province—and we have a group that comes all the way north up to Kenora, and north, east, south and west sit on this steering committee; we are very provincially focused here—represent their own regional groups and local groups, so they know the difficulties consumers are facing. An agency that's located in Toronto really does not have the knowledge or the expertise that's facing people with disabilities. They insist that it has to be consumer-driven.

Mr Gary Wilson: There's a bit of time. Ms Swarbrick, I think, has a question.

Ms Swarbrick: Thank you. Thank you, Carol. It's a wonderful presentation.

Ms McGregor: Hi, Anne. I didn't know you were there.

Ms Swarbrick: I'm glad to hear you reinforcing and making very clear some of the points I was touching on yesterday when the minister was here too, the fact that the only way we're going to have employment equity is to first have education and training equity. I think that's really important.

I'm wondering if you could comment about what you know about the development of the entry/re-entry council. It seems to me that the emphasis we've built in here—and I remember being in cabinet and on the cabinet committee on economic and labour policy at the time, fighting to make sure we did have an entry/re-entry council and having been successful in that—is clearly one of the areas that will be very important for people with disabilities and I wonder if you could comment on that area.

Ms McGregor: We haven't discussed with the province a great deal about the entry or re-entry councils. We see this as a very important council, obviously, for people with disabilities. The main focus up to now has been concentrating on the mandate, really just trying to get through the struggle that's been going on. Business and labour have been at each other's throats over the past few months and we've not advanced, I don't think, as far as we would have liked. We would have certainly liked to have seen more discussion take place regarding the councils and this has not happened.

Ms Swarbrick: So that's an area that needs a lot more work yet, obviously.

Could you comment? I was interested in your aside there about the German situation. One of the questions I wanted to ask of you is if you knew of any jurisdictions in Europe who in fact are much further ahead than we are in integrating disabled people within the workforce and what exactly they're doing. Could you describe a bit what that grant levy system is in Germany that you referred to, or other examples you know of?

Ms McGregor: David Baker from Advocacy Resource Centre for the Handicapped was on a sabbatical and did a paper for the Employment Equity Commission on the grant levy system in Germany specifically.

We have heard for some years that Germany has been far advanced of other industrialized countries in its training of people with disabilities. The government puts a lot of money into training people with disabilities in Germany. They're trained in very technical jobs. The grant levy system means that employers get paid money if they are hiring people with disabilities, and there is a quota set of 6%, and if they don't reach that quota of 6%, then there is a levy that's fined against them.

We are inviting employers from business, and also labour happens to like this, to a conference this fall. This is a joint conference between ARCH and PUSH. They're going to be speaking at it to speak to other business and labour groups here in Ontario as to how people with disabilities can be trained and be able to work, fashioned after the German model.

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We're also advancing this under the Ontarians with disabilities act, another paper that's been presented to the Minister of Citizenship, which we hope is going to be released publicly soon, because the grant levy system again is described in detail. But if the committee wishes a copy of that paper, the Employment Equity Commission's office does have it, what David Baker wrote, and it has been released publicly. As politicians, you'll have no trouble getting it as members. It has been received quite well and has had a lot of interest.

The parliamentary committee on employment equity, when I appeared before it in February last year, was very interested again in the grant levy system. At Independence '92, the federal government brought over representatives from Germany to speak to the International Congress on Disability on the grant levy system and what Germany is actually doing. We think it's a model that should be looked at. Clearly, with their unemployment rate of only 10%, they're doing something that's right and Canada has a lot of catching up to do.

Ms Swarbrick: Mr Chairman, I'm wondering whether there's any possibility of our trying to ensure that at some point we hear from David Baker to make a presentation to this committee about his paper and about the grant levy system in Germany.

The Chair: We might address that at 6 o'clock. Mr Offer has an issue to address. Do you want to raise that?

Ms Swarbrick: I'm not meaning today. I'm meaning at some point.

The Chair: No, but let's address that at 6 o'clock.

Ms Swarbrick: Okay.

Mr Offer: Thank you for your presentation. Just dealing with the last point made by Ms Swarbrick, I hope that we will deal with that issue, as well as potentially getting some information from the German framework before this committee, and I hope that we'll probably be discussing those and other issues at 6 o'clock. I think it would be helpful for this committee.

Dealing with your presentation, I would like if you could help me out on this, the guaranteeing of a consumer seat on each local board and what that means.

Ms McGregor: Consumers are people with disabilities. When we were first approached by the Canadian Labour Force Development Board to become involved in this whole process of a provincial board in Ontario, as well as local boards, it was with the understanding that people with disabilities would have a seat and it would be a consumer, which is me—I'm a consumer; I'm a user of disability, if you like—rather than an agency, rather than having a service provider sitting there speaking on behalf of people with disabilities. Our steering committee has stated quite emphatically that all local boards must have a person with a disability sitting on the board, and so the consumer basically is the person with the disability.

Mr Offer: Thank you for that answer. It's helpful, yet it raises a second question and this is more specific to the legislation because in the legislation itself, when one speaks to the local training and adjustment boards, there is nothing in the legislation that guarantees a consumer representative, or in fact there is no guarantee of any other representative. It says that it will be established in accordance with regulations. The minister yesterday has indicated that he will not be giving those regulations, when prepared, to this committee.

My question to you is whether this legislation should deal with the concern that you've brought forward to make certain that the representation of the local training and adjustment boards should be in legislation, instead of leaving it to regulation.

Ms McGregor: I would be happier if it was in the bill itself. I would like to see that we are specifically represented in the bill and then we would have something to respond to if we were not. Also, it's a little bit more difficult to change. Regulations are a lot easier to change with successive governments. Legislation may not be, and I would prefer to see the representations spelled out so that we know that we have a seat on the local boards.

Mr Offer: Thank you. Those are my questions.

Mrs Witmer: You talked about the need for this to be consumer-driven. Would you just explain what you mean by that?

Ms McGregor: The whole process for nominating people with disabilities to the local boards must be done by our community, which is consumer-driven. When we say consumer-driven, we want to own the process for doing this. If there is at any time a replacement to be made, we want to have that right to choose our own delegate.

On the national reference group on which I sit, we unfortunately have had to change our delegate. Sandra Carpenter was our original person to the national reference group on the Canadian Labour Force Development Board. Because of the workload, because of the fact that there's no accommodation for her, there's no alternate, she simply could not handle the workload with her disability and she had to resign. We had the option then of choosing another representative and, unfortunately, it was a person who had a very less disabling condition.

I regret that because I don't think other members of the Canadian Labour Force Development Board really have the impact of having a person with a disability sitting on that board, but we have had that option of choosing. We don't want the government to choose our representatives or nominate somebody for us. We want to be able in the local board areas in our communities and their communities—they want to be able to nominate their own person to the board.

Mrs Witmer: You threw out a figure of the equity groups representing 60% of the people in this province.

Ms McGregor: Sixty per cent of the population are women, aboriginals, people with disabilities.

Mrs Witmer: And you don't feel they're represented presently on the OTAB board?

Ms McGregor: The equity groups only have one representative. We don't have all of the names from business and labour, but first indications are that it's going to be predominantly male and able-bodied and white. So I'm not sure that equity groups are adequately represented on this governing board. It's the same on the federal Canadian Labour Force Development Board.

Mrs Witmer: I'm a female and personally, I would hope that these other groups could speak for me as well.

Ms McGregor: What groups?

Mrs Witmer: Labour and business.

Ms McGregor: Well, I would hope they would too, but I don't think that a white able-bodied male can adequately reflect the needs of a woman with a disability.

Mrs Witmer: I can understand that, but I guess for you to say that 60% of people in this province come from the equity groups and they're not represented—

Ms McGregor: They do, though. That has been documented by Statistics Canada and that's exactly what—when we're talking about disadvantaged, we're saying that women, aboriginals, first nations and people with disabilities have been historically disadvantaged. I don't think someone who has had all of the power in business and every opportunity understands what it's like to face discrimination, to be employment-disadvantaged, to not have adequate training or access to adequate training or the possibility of future jobs. I think one of the reasons we need employment equity in this province is for that very reason.

I certainly saw from when I was in Ottawa for the week at the Canadian Labour Force Development Board that the issues on equity were largely ignored by business and labour. They were not really dealt with. There was no discussion on them. So I do not feel that the equity issues will be adequately addressed by business and labour.

Mrs Witmer: I wonder if OTAB is the board that should be dealing with it. I guess I'm wondering if the public expectations of OTAB, and those of all of the interest groups, are realistic. I'm not sure that OTAB can achieve all that groups such as yourself and other groups are hoping can be achieved. It seems that everybody has a little different expectation. I'd just like to know what, briefly, your expectation is of OTAB.

Ms McGregor: OTAB should, I hope, if it's going to assume the responsibility for training programs in this province—the federal government has obviously offloaded its responsibilities. The province has got to pick up the responsibility for delivering training in this province. Certainly for people with disabilities, we're hoping that training programs are going to become more accessible to us and that we're going to be able to have input into the types of training programs that are going to be actually beneficial to us. We want to know what training programs are going to be eliminated by business and what programs are going to be retained and perhaps reformed. We want to make sure that people with more severe disabilities, not the most abled of us, get trained. And in the end we're hoping that with this type of training, people will get employment.

Now, that's not a responsibility of OTAB. But clearly, if people with disabilities have adequate training, then they're going to be able to access—maybe not in the recessionary times but hopefully we're not always going to be there—employment in later years. We're optimistic that training is going to improve, hopefully, equality for people with disabilities in terms of accessing employment. That's down the road. It's going to take time, but we believe that Ontario as well as the other provinces that are doing this—and I meet with them. We're all going through this and we all have this desire.

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Mrs Witmer: I know there are some good programs taking place now, in the secondary schools in particular. They're recognizing the need to provide the training and I can name some areas in this province that are doing a very effective job.

Ms McGregor: But you must realize that people with disabilities oftentimes don't finish post-secondary education because of the fact that they're in the hospital or for other medical reasons. Their education is substandard and the majority of

this community basically doesn't have the skills to even access the basic training programs.

There are no bridging programs, for example. These are the types of things that we need to be able to hopefully change. British Columbia has bridging programs for women, the women in trades and technology program, which is very good. Bridge programs are something that women in British Columbia have found have helped them to access other training programs. We want to see something similar developing in Ontario.

I think OTAB could be a structure, basically, that looks at it. Certainly, what they're looking at in many areas at the Canadian Labour Force Development Board will have an impact down the road if it gets followed across the country.

The Chair: I want to thank you, Ms McGregor and PUSH, Persons United for Self-Help, for a very important submission to this committee. Obviously, and you can gauge that from the response committee members had to your comments, you've provoked some thought and provided some new insights. We're appreciative of you and of PUSH. We trust that you'll keep in touch.

OTTAWA-CARLETON BOARD OF TRADE

The Chair: The next participant is Herzog Career College, if their spokesperson will please come forward and have a seat. Tell us who you are and your title, if any.

Mr Randy Atwater: As you can tell from the introduction, my name is Randy Atwater and I am the director of Herzog Career College. It's a private vocational school in Ottawa. When we thought there was going to be a committee that would come to Ottawa, I called and requested permission to make a presentation. Then we realized the committee was going to stay in Toronto.

I also chair the education committee at the Ottawa-Carleton Board of Trade. I've sat on a community reference group since February 1992, talking about the kinds of issues that OTAB is trying to deal with, so today I would like to represent the larger community rather than my school. The Ontario Association of Career Colleges is going to make a presentation, so I think it can pretty well say what I would like to say.

I had a long meeting with the Ottawa-Carleton Board of Trade yesterday. We've talked to our reference group. Since most of them won't be able to come down, in the spirit of Mr Allen's comments yesterday of community hats and multi-constituents and those kinds of things, I'd like to talk more about Ottawa-Carleton if I may.

I've been a training consultant in the Futures program and I've been a teaching master at a community college in eastern Ontario, and as a director of a private vocational school teaching adults now, we are very aware in eastern Ontario of the kinds of difficulties we have when we're trying to address a skills mismatch.

The whole concept of OTAB really strikes our community very deep in the heart. There are thousands of individuals in eastern Ontario who are right now caught with the wrong skills set. They're motivated people. They recognize the fact that they don't have the proper skills and they're trying to find access to training that's relevant for them. As you've heard from all the other committees, they have barriers like

day care, transportation, funding and budget counselling, and the most contentious for most of them is the red tape and the bureaucracy they have to deal with.

It may surprise this committee, but the Ottawa-Carleton Board of Trade supports Bill 96. The region of Ottawa-Carleton and Renfrew county and parts of Lanark county that will be in our catchment area, although it comprises almost 150 kilometres east to west, is solidly behind this legislation. The concept has been supported in one form or another by successive governments and we think its time has come.

Our community is very concerned about one major aspect that we feel, if it can be addressed in the legislation, might solve some of the other myriad of problems that seem to be being discussed. The area has to do with the empowerment of local boards to decide in the community the kind of training and structure that needs to be done and how it is to be delivered. Our community vision is for the basic structure to be part of the provincial OTAB while it provides maximum autonomy, decision-making and accountability to the local boards.

As an example, in Ottawa-Carleton we're seeing a massive federal downsizing. At the same time, our catchment area for the local proposed board is going to encompass a town as far west as Pembroke, which is 150 kilometres; 15,000 people with incredibly different needs than the urban agricultural section of Ottawa-Carleton itself. We also have a very large agricultural section. As a community, we're struggling to try to figure out how a central board dictated basically by Queen's Park can possibly have the vision to understand the kinds of things that we in the community see for ourselves.

We feel it's imperative to recognize that we know we have to be accountable for the efficient use of the public money, but we would like to see the legislation provide a framework from which the communities in Ontario can develop reference groups and boards that reflect local needs rather than Queen's Park. The current legislation, as we understand it, is definitely not clear on this issue of local boards.

Since I'm here, I'd also like to share maybe a few positive things about how this anticipated legislation has helped our community. Mr Allen mentioned partnerships, community involvement. In our community, the Ottawa-Carleton Board of Trade and my own school have been part of a reference group that was formed in February of last year. At that time, the Ottawa-Carleton Industrial Training Council, Algonquin College and the board of trade met to discuss how we might prepare for the stakeholders' meetings that were going to be coming in the spring. Our original intent was to hold an information seminar for the community, sunset ourselves, and let other individuals and groups pick up the ball as they wanted to.

The people who attended that conference in February asked us to continue on as a larger group to which any individual representing yet other groups could come and have a voice. This reference group continues today, with each of the individual members having contributed over 200 hours of unpaid time in the continuation of the process of reaching out to the community, to explain not only the purposes of the demographic boundaries, the geographical boundaries, but the idea behind the training initiative itself.

The members now include not only the board of trade, the Ottawa-Carleton Industrial Training Council, but the Nepean Chamber of Commerce, the Ottawa Board of Education, the

Ottawa-Carleton Coalition for Literacy, the YM-YWCA, the Ontario March of Dimes chapter, the Renfrew county steering committee for board development, the Ottawa-Carleton Immigration Services, as well as many women's groups and groups focusing more on minority issues.

I'd like to add that we've solved all the problems that you're being hit with as far as this OTAB legislation is concerned. We haven't, but the board of trade has continued to meet with these people. I think everybody is bringing to the reference group the realization that nobody's going to get everything he wants out of this, and what we're trying to focus on is training. So the board of trade has worn two hats. We continue to talk to the local community, and at the same time we've taken the lead role in eastern Ontario in forming a business reference group, as well as trying to identify experiential and skills traits that we would like to see in any eventual business representative on our local boards.

What we think is exciting about all this buildup to the Ontario Training and Adjustment Board is that all these parties have come together out of the realization that we have to sit down and start talking to one another. We would like to assure you that the community of Ottawa-Carleton and the counties of Renfrew and Lanark, as communities, can work together to ensure that at the local level our friends, neighbours, coworkers and employees get the kind of training they need. Our focus is not to try to identify winning and losing jobs, but to try to make sure that all the training is geared to the development of transferable skills.

In closing, I'd like to refer you to the written paper I brought today. It outlines more clearly some of the concerns we share. But I'd also like to add that we recognize that the economy is changing, and I'm here to tell you that individuals and companies in eastern Ontario are embracing that change while acknowledging the structural, educational and social implications of that change.

As a community, we feel strongly that if Bill 96 is to achieve its goals of helping the province meet the economic challenge of the future, and if we are to train and retrain workers so they have the transferable skills they need, the majority of the decisions regarding that training and the structure to support it must be made at the local level. We feel it is in the community that people feel they have a voice. We also feel it is in the community that the opportunities can be addressed while finding the will to remove the barriers to those opportunities.

1510

The Vice-Chair (Mr Bob Huget): Thank you very much. Questions, Mr Ramsay. You have about six minutes.

Mr Ramsay: Thank you very much for your presentation. I appreciate that. Like you and your group, I share your concern about local autonomy. In fact, I'm one who really believes that's the most important level of this act. Maybe we should reverse the direction of this thing and build it from the bottom up rather than the top down.

As you've noted, even though there have been some studies and consultative papers produced about the establishment of those local boards, the so-called LTABs, there's nothing in the legislation that really spells that out. Since you've got a lot of local experience, I was wondering if you could give us some

ideas you might have as to how the LTABs could be established, who should be part of those and how they would work.

Mr Atwater: For an example, like the lady who spoke before me, we've wrestled with a lot of those problems in our community for the last year and a half. Part of the difficulty we've had in addressing these things is that there has been a serious misunderstanding or a lot of miscommunication if you will. Many of the people who came to the original reference group came with a strong belief that this was supposed to be a ground-up effort. Another significant number came with the idea that it was supposed to be top down.

We have spent 14 months just basically getting one another to talk about what our real agendas are. Several groups in Ottawa-Carleton have had what they call visionary planning sessions just to decide what they feel our area of Ontario should look like in the next decade. We don't really have a preferred structure for the local board. What we do have is several reference groups, several organizations, both public and private, that have expressed an interest in sitting down at some level and deciding for ourselves what we think that board should look like.

We don't have a major problem with the 8, 8, 4 and 2, that kind of concept, but for an example, in our geographic area, contributing so many rural people and less organized labour and those kinds of things, we feel it would be at the community level that we could identify the exact structure of the board itself.

The other thing I would say is that we don't feel from our own experience that these questions are going to be answered by this legislation. It's going to take people wanting to sit down and talk with one another to work them out. Our collective feeling is that if that talking is done down here, the fact that I'm the only one right now from eastern Ontario let's us believe that we're not going to have the kind of results in our area that we think we're going to need.

Mr Ramsay: What is going to be required then? What can we do in this legislation that allows you to establish the mechanisms you think would be effective in your area?

Mr Atwater: For an example, I think the legislation should state general guidelines of how we, as a local community, should be responsible for the amount of money that would be transferred into our area for training, absolutely. If we're going to do training, I guess we would look for a structure that would give us some guidelines on what the provincial body would request, some kind of reporting structure back to you on how that money is being spent, how we're being accountable for the outcomes of the training.

Again, we're not saying we have all the answers. What we are saying is that we feel that if we got out there and made some start and there was some structure at the provincial level that would allow you to come back and get input from us on what kind of board we set up, what kind of representation, what kind of training we chose to do, you could use that information then to either come back and refine the regulations or use that as a good or bad model, whatever it happened to be, elsewhere in the province.

I guess we're looking for a general structure that has the provincial outline of what you would like to see covered, and

then make sure the community itself is responsible for at least that general accountability.

The Vice-Chair: Mr Offer, you have about two minutes.

Mr Offer: Thank you for your presentation. Your presentation really does put a focus on a major problem that has developed in this legislation in just the first opening hours that we've looked at it, that is, the fact that there aren't any structures, any conditions, any factors, any criteria the local boards can point to in the legislation and say, "Yes, we agree," or "No, we don't," or "This is how it should be changed." The legislation is totally absent of those criteria. In fact, it's totally absent as to whether you're even going to be created. This is not a small refinement we're talking about here. You've come before the committee and said you're in support of the legislation.

My question is twofold. First, should this legislation be amended in order to provide those criteria, those factors that you, with years of experience, need? Second, what happens if after the weeks of public hearings, after we go through the week of clause-by-clause and whatever happens, the government decides not to listen to you? What's your position on the legislation?

Mr Atwater: First of all, I would like to say that we are emphatically in support of ensuring that the legislation is changed and adapted, with very specific guidelines to establish local boards. That being said, I think our community recognizes that if the government decides not to make any changes, it will be implemented with no changes. All we're simply saying is that from our community, we're telling the government that we don't think there will be the buy-in at the local level if the decisions are all made and passed down from Queen's Park.

Mrs Cunningham: Thank you for coming today. It is the first day of true hearings, where we're hearing from the public, so I think you'll have a chance to see what others might say.

Certainly, in the letters I've received and the meetings I've attended, the training bodies in place sometimes are called CITCs, community projects, and sometimes they're called local industrial training councils or boards. I'm wondering if you've been a member of any local training body within your own community.

Mr Atwater: To be honest with you, as the operator of a private vocational school, I've had several run-ins with our local industrial training council. Over the last number of years, there has been a propensity of our Ottawa-Carleton industrial training council to focus on the community college system for the delivery of training programs of almost any kind.

I think it's only been for the last 14 months, when our industrial training council has sat on the reference group, that it has actually started to see that there are viable private vocational schools and private trainers in the community. They haven't actually started saying they're going to come right out and support our kind of environment, but at least they're talking to us.

Other than the board of trade and the Ontario Association of Career Colleges, which strictly represents private vocational schools, I have not been at the local level on one of those ITCs.

Mrs Cunningham: But you obviously know how the one in your area works?

Mr Atwater: Yes.

Mrs Cunningham: As a private trainer, I can tell you we know what we're getting down the road. There's great concern that private trainers won't be represented except through the education component, perhaps at the larger OTAB level. Is that one of your concerns?

Mr Atwater: I'm going to say it's not as much of a concern locally as it was a year ago. A year ago, it was a very, very big concern. For an example, when I chose to represent the board of trade on our reference group, one of the very first criticisms I got was how could I represent business when I actually run a school. It has really been from continually going back to the group and just talking about what is our real agenda and the idea that we could wear multiple hats.

I feel in our community we can definitely have people in business, from reference groups and all of those things, who represent more than just business or just labour or just education.

1520

Mrs Cunningham: Are you aware of whether or not the board you have now in your local community has in fact done any studies or surveys on training needs in your area? Has that been one of the focuses, are you aware? You may not be.

Mr Atwater: There have been several studies. The Ottawa-Carleton Learning Foundation, in what it called a Dialogue Montebello, did a study about a year and a half ago on the training needs just of Ottawa-Carleton for the decade of the 1990s. They came up with very many of the kinds of things we're talking about. They talk about high tech, they talk about transferable skills, they talk about bringing people in from the rural communities. They haven't really come to any great degree that says: "This kind of training is exactly what we want. This kind of training is definitely what we don't want."

Mrs Cunningham: Do you expect that the local training board that will be set under this legislation will have that responsibility?

Mr Atwater: Personally, I would hope the board itself wouldn't have. Personally, I would hope that what we would try to do at the community level is identify a bigger picture of what we're actually doing.

Mrs Cunningham: You mean bigger than your region or area?

Mr Atwater: Yes. Again, what seems to be happening from all of our discussions is that if we have a board that says, for whatever reason, "This specific kind of training is the direction we want to go," we feel that because our geographic area is going to be so large, we may end up going down the road to—I guess the analogy is training people that make buggy whips at a time when we don't need buggy whips any more.

Mrs Cunningham: Geographical areas can be a lot bigger, though, if the province of Ontario is involved in analysing all the training needs. Most persons who are coming to us are saying—and you stated it in your summary of recommendations on page 2—"Local control is essential."

Mr Atwater: Correct.

Mrs Cunningham: And with control comes responsibility for defining your training needs and defining who in fact is going to present them. That was my understanding of what the government would really like to see: people in their own communities defining needs with local business and then coming forward and best being able to describe how those training needs can be met.

I thank you for coming in today and making this presentation.

Mrs Witmer: I have one question regarding bureaucracy. You indicate in number 2 that we need "to focus on people who need training—not on setting up another bureaucracy." It appears that you are concerned that Bill 96 might indeed do that. What can the government do at this point in time? What amendments can they make that would prevent that from happening?

Mr Atwater: I guess what I would say in answer to that is that they could actually put in the legislation what our community feels their intent was, and the intent was to make this a community-oriented, grass-roots, bottom-level-up operation. There must be some way legislative people can put that in writing and make sure it's in the actual legislation itself and not subject to regulations down the road.

Again, what we're looking for, in a best-case scenario, from the government is a general scenario that says that the province recognizes that we need to make some training changes. We need to recognize that the kinds of issues we're talking about go past the next fiscal quarter. They involve a lot of issues that business people have not consistently been involved in as far as funding day care and those kinds of things is concerned, but our community is starting to come to grips with those kinds of issues.

What we're looking for is a general framework that says, "We want to do it," and the responsibility to be accountable at the community level, but let the community make decisions, whether they turn out to be good or bad. We don't want this to go on for three years to find out it's no good, but let us make the decisions locally. Let us keep audit trails so you know where the money is going, you know what kind of training we're doing, and then we can sit down with the other communities in Ontario and the government and work out and use the best solutions everywhere in the province and then pass those around to the other provinces and say: "Here's something that works well in this area. Maybe you could try it."

Mr Gary Wilson: Thank you for your presentation. I certainly found it enjoyable. Of course it's nice to hear that you support Bill 96, with those reservations you mentioned.

But I too want to look at the local boards, especially because you seem to have so much experience with them and seem to think they can work. I'm certainly pleased to hear that you think that you can step out of your specific role. After all, I think all of us around this table would agree with that as well. We also are expected to step out of our particular backgrounds and represent the community at large to the best of our ability, and I think that's representative here as well.

You also mentioned the regional approach. It's nice to hear from somebody from eastern Ontario. I'm from Kingston and

consider myself also to be from eastern Ontario, yet recognize the differences between Kingston and Ottawa. I think that is another value of the local boards; you will represent Ottawa as a part of eastern Ontario and the people in the Kingston area will do the same there and then the provincial network has the opportunity to interact to share information.

That way, I think, it goes beyond and you've already addressed that. You had said you didn't want to be producing buggy bits in a time when we've moved beyond that and you want to know that information. I think you're saying at the local level you can't always be sure you're going to get that.

Mr Atwater: Correct.

Mr Gary Wilson: What I want to say about the legislation, the way it's established now, is that for the local boards—you realize this, I'm sure—it's got to be set up in conjunction with the federal role through the Canadian Labour Force Development Board and the federal government, as well as OTAB and the provincial government. That's part of the reason it's set up in the legislation this way, to make sure those questions are answered, I think, in the most thoroughgoing way possible and to involve the kinds of discussions that have already gone on at the local level.

I'm wondering, though, whether you would want to elaborate on the interaction of the local community with the provincial, again just to show that interaction. I think people are saying it's the local level that has all the information, but if that were true, probably we would have come upon that earlier perhaps, or obviously we're looking for a system that will work. I think, theoretically, it can be said that there should be this interaction between the local and the provincial, that they can both benefit from the interaction that can exist. I was wondering whether you might want to comment on that.

Mr Atwater: Certainly we don't think we have all of the answers, but I guess there are different kinds of interaction. There is interaction between basically equal people or equal organizations and there's interaction between somebody who is autocratic saying, "We want you to tell us what we want to hear."

What we're basically saying is that for the interaction to be effective and for us to be able to go to the community in all of our hats and say, "We really need to get behind this, we really need to make some changes"—we feel that at the local level, if it's local people who are going into the community talking about the issues, making it more of a front-of-mind awareness, we'll have a better buy-in from all of the people who are going to be affected by this legislation.

That being said, we are also relying very heavily on the concept of different reference groups; not just business reference groups, not just labour, but people who cross all of those boundaries, to share with our local board and report back to the local reference groups and then we can talk with the province.

Certainly there is something that has to be said from a provincial level. There should be some kind of a macro vision of what we would like the province to look like. I don't know whether the main board of OTAB is going to do that. There's got to be some level of leadership that can get a large buy-in, province-wide, of what kind of life we want to have in the province and I think that goes everywhere from work life to

personal life. If we could get some kind of a macro vision from the province, I think we could share that macro vision more at the micro level in the community.

Mr Gary Wilson: I think the macro vision will depend on the quality of the local participation as well. I just want to ask you too whether you think the local groups can include every aspect of the community, that it will be all-inclusive of all the groups in the community.

Mr Atwater: I think that's going to be tough if we have to stay with 8, 8, 4 and 2 at the local level. For an example, one of the things that came up very strongly in our area when it was recognized that Renfrew county was probably not going to get a separate geographic area from Ottawa-Carleton—Renfrew county encompasses a huge area, and when I was teaching up in Pembroke it was completely different from Ottawa, even though it's only 150 kilometres away.

They're kind of saying to us that if we're going to have a local board of eight business representatives and eight labour, they want to know how many seats Renfrew county is going to get. So what we're sort of saying at the local level is, because we have a large rural section, in order for them to have a meaningful voice, with the umbrella of business and labour roughly an equal number of seats, we might want to have more business and more labour on our particular local board, simply because we're going to have such a large catchment area.

The same thing goes with reference groups and minority groups and women's issues. The rural women in our community are telling us they have very significantly different needs than the urban women, so they're very concerned about having one representative on the local board. I think we're starting to be sensitive to the fact that there is quite a challenge ahead, but we also feel that the local area can probably address it.

The Chair: Mr Atwater, I want to thank you and all of those organizations, groups and associations you are representing here today. We're grateful that you were able to come and give us a unique perspective, certainly other than a Toronto perspective. We're appreciative of that, and I wish you'd express our thanks to the organizations you speak on behalf of. Please keep in touch.

1530

STEPHEN B. LAWTON

The Chair: The next participant is the Ontario Institute for Studies in Education. Sir, please have a seat and tell us your name, your title or position. We've got written material which will form part of the record by virtue of being filed as an exhibit. Please tell us what you will. We've got 30 minutes; please try to save at least 15 minutes for exchanges and dialogue, because that's a very important part of what happens here.

Dr Stephen B. Lawton: Very good. Thank you very much. Mr Chair and members of the Legislature, I'm very pleased to be here today. My name is Steve Lawton. I'm professor and chair of the department of educational administration at the Ontario Institute for Studies in Education, OISE. I should say right off that I represent myself. I'm not sent by the institute or my department, and I don't want what I say to

be represented as their position, which is not to say that some people might not agree with me on some points.

I've organized my comments into five matters. First is something about myself. That's supposed to give me credibility so you believe something I say. Second is my support for OTAB, particularly as it relates to job entry. Third is the need for national standards in training. Fourth are the concerns I have about the role of OTAB. I'm not an expert in understanding legislation—I just had an opportunity to skim through it—but I'm concerned about the possibility that OTAB or one of its regional committees might actually operate programs as opposed to simply funding or choosing them. Finally, there is the possible role of the Ontario Institute for Studies in Education in assisting the operation of OTAB. This is a promotion and I admit to it. In fact, there's a brochure for an upcoming conference on education and work that's attached.

As I've said in my statement here, my own specialization is actually the finance and economics of education, but within that I've done considerable work on the problem of high school dropouts. I've done some work on that issue with the prosperity secretariat and the stay-in-school program as well as the provincial government here. This has also involved looking at the effects of part-time work on youth and, more recently, the issue of school system restructuring, school-based management and the like.

I have a doctorate in education from the University of California at Berkeley, and I've been here in Ontario at OISE since 1970.

My interest in OTAB really comes out of the work I've done at the secondary level, interviewing kids who have dropped out, who are in the general program, perhaps don't plan to go on to colleges or universities. There's a real concern on my part that for perhaps as many as 70% of our youth, the program in the secondary school doesn't really lead any place. They tend to go directly into the job market.

I don't think I would be telling you anything if I didn't say that the agenda for most high schools is set by the universities. It's the academic core of the university that essentially sends the signals to the high schools about the academic program they must offer in order for students who are going on to colleges and universities to earn that privilege. What that lacks, though, is an equivalent body, if you like, that would send the signals about what ought to be done in the school for that 70%, or perhaps that 50%, who are not going to go on to colleges and universities.

I've made reference here to two reports out of the United States that have really impressed me. Perhaps your research staff or yourselves are familiar with them. One, in 1988, was called *The Forgotten Half*, from the William C. Grant Foundation; there is the full reference to it at the back. The full title was *The Forgotten Half: Non-College Youth in America*, An Interim Report on School-to-Work Transition.

The gist of that report was just what the title says, that 50% are left out of the educational system in the US. I've not seen comparable data on Canada, but my perception is that it's quite similar. What they've documented, among other things, is that for some youth, in the last 20 to 25 years there's been about a 50% decline in their earning ability when they enter the job market, and this is particularly so among minority youth; that is to say, the real wages are just half of what they

would have been in 1970, particularly for a non-high-school graduate but even for a high school graduate. It shows the decline in status or income of those who do not have higher education.

Another volume out of the National Center on Education and the Economy in Rochester, New York, is titled *America's Choice: High Skills or Low Wages?*, published in 1990. Marc Tucker, who heads that institute, has set out a very persuasive structure, if you like, which suggests that after what we would call grade 10, there'd be a certificate of mastery for every student, and after meeting that standard, the student would have a choice of essentially an academic program or some sort of variety of programs that would lead, in a sort of organized pathway, to the world of work, apprentice-like programs, if you will, or youth service programs that would lead someplace; this in order to address this issue of the forgotten half.

I might mention that Oregon is the one state which has in fact announced it is going to follow that. I might also add that the idea of the certificate of mastery is that the student would actually have to master everything in the curriculum that was set out for that stage before he or she got the certificate, and if he or she had not done it by the time he or she reached age 15, he or she would be provided support until he or she did achieve it.

I'm reminded of the story about the emperor in China who once congratulated a man who had passed the exams at age 72. He said: "You must be very proud. How long have you been studying?" The man said, "Since I was 21." The emperor rewarded him with a concubine and a private room in the palace, since the man had given up his whole life in order to pass the exam. I don't think they have that in mind. Perhaps that shouldn't be in the record.

In any case, it's that sort of background that I see OTAB as addressing, and this is particularly where the role of OTAB in job entry programs, to me, presents a lot of possibilities. I quite frankly think that the high schools need to be sent signals about what is needed in, if you like, the world of work, and they might even need some competition; that is to say, other agencies to provide what in the province are being termed the specialization years, grades 11, 12 and 12½. I think we're the only jurisdiction in the world with 12½ years of schooling, the 30-credit system.

The guidelines for these years of specialization, as I understand—and perhaps people here know more than I do—are currently under development, but the idea is that they would follow grade 10 after grades 9 and 10 have been destreamed, so that you'd have a standard program up to that level and then would have the years of specialization. I would hope that OTAB would be able to stimulate development of programs at that level and perhaps even, as I say, give the secondary schools some competition.

In terms of national standards—again, maybe it's the economist in me—I am concerned that we move towards national standards in training programs in order to include the maximum job market for youth. I don't think you can be overly localized in program training, because the jobs may not be there in five years or 10 years; they may be a province away.

As well, in some areas—and I notice this particularly in education—there basically is a closed shop here in Ontario. This is true, for example, of certification for directors of edu-

cation here, that you must be certified in Ontario following a standard program. As far as I know, there's been no director of education hired here from another province during my residence here, whereas that's not true in other provinces.

So it's these training regulations that in fact discourage people from moving about and taking jobs elsewhere and importing people from elsewhere that I think are something we should work against. I hope that OTAB would be able to regulate training, work with the federal government and develop national standards, not just in terms of technical-level jobs but also professional-level jobs. Certainly this is the way the European Community is working towards.

The fourth point was the operation of programs by OTAB. There is a line in the legislation that talks about providing programs. That may mean simply providing resources for the programs, but it could also mean operation of programs. This is something I would warn against, because I think that any institution that begins to offer a program never wants to give it up and that it becomes important for that institution; whereas this body must be a regulatory body, to some extent, and decide what types of programs should be offered, and there shouldn't be a conflict of interest.

We went through a similar history with atomic energy in this, where first the same agency developed and regulated, and only later did we realize that public interest was essentially forwarded by having separate bodies do the regulation and the operation. I think the same should certainly be done in the training area. So I encourage putting a line in the legislation that would specifically prohibit OTAB or its regional counterparts from actually operating any program.

Finally, I conclude with my promotion for my institution. I note that one of the Premier's Council reports suggested creating OISE-like institutions to study education and learning in the workplace. I don't think we need an OISE-like institution. I think that with adequate resources and direction from the province and OTAB, in fact there are a lot of services that OISE can provide: research services, program evaluation services and the like. We might even provide conferences, and that's why I've attached a brochure for our upcoming conference, which is the *raison d'être* for my being here, to advertise our work, along with some précis of some of our outstanding speakers.

With those comments, I'll conclude and have questions from the group. Thank you very much for having me here today.

1540

The Chair: Thank you, sir. Ms Witmer, six minutes please.

Mrs Witmer: Thank you very much for your presentation. It's good to hear from you again.

Dr Lawton: You remember. I still talk fast.

Mrs Witmer: I do remember from my days in educational circles. This was very insightful. You've commented on OTAB, obviously from your perspective. I'd like you to give us a little more information. You talked about an education system that has a gap that needs some filling. I wonder if you could just elaborate on that. I do agree with you. What role do you see OTAB playing in filling that gap? I'm coming to the conclusion that many people are perceiving OTAB very differently and the expectations are certainly quite different.

Dr Lawton: Yes. My perception is that many youths who don't have the vision of going on to college or university—I'm talking particularly about adolescents and late adolescents—do not see education as leading anywhere; it's a dead end. If you've sat through some general-level courses in high schools, you'll often marvel at the truce that's been drawn between the teacher and the student: "No homework, fine, and I won't disrupt the class either. Great deal." That's it. They're putting in time and not really working towards some goal.

So I think OTAB, in perhaps organizing and forming a focus for the great variety of opportunities in society for work and contribution—I think that federally they list over 20,000 possible jobs. It might be possible to organize what I might call "status passages" in the jargon—there was a popular book, *Passages*, a few years ago—the notion that when you move from this role in society to another, you make a passage. Well, there are unstructured passages, which is sink or swim, and there are also structured ones, with mentors who help you through that passage.

I think what we need to do is to help develop these pathways for youths so they have someone helping them, so they have a sense of direction. I think OTAB can do this by helping to organize the field of training and job training and opportunity, and perhaps send signals to schools that "You should be doing this"; the signalling function, which is what I say the universities do to high schools in terms of their basic academic core curriculum.

But also it may be through funding: There would be private and public agencies that say, "We have programs that can train people for useful activities that are productive," and OTAB says, "We're going to fund you and let the student go there and collect the money"—competition for the system. I know that's not always viewed as the best way to go, but I recall being up in Sudbury a while back, when the public board offered no adult education until the Catholic board was funded through high school and began offering adult education. You know, it wasn't long before the Sudbury public board was offering adult education as well; they had a disagreement with their teachers that had stopped it previously.

So sometimes competition does bring about, essentially, a recognition of a need and a greater desire to fulfil it. I think those are the two functions I would see.

Mrs Witmer: I hear you saying, and I know you've stated it here, that OTAB definitely should not be directly operating programs.

Dr Lawton: Yes. I feel strongly that—I even made a jest at the beginning that I'm here promoting my OISE programs because I'm committed to my institution, and this is good. But on the other hand, if we're also regulating programs, we have to believe in what we're doing, so you get a conflict of interest when you both operate a program and you're selecting which programs should be operated. I think you simply have to be loyal to the program you're running yourself. It's a natural human tendency. If I don't believe in what I'm doing, heaven help me.

Mrs Witmer: You talked about it responding to the needs of youth, and I would agree with you. Unfortunately, there are many young people in our system today who don't

see the relevance of the programs and I think that's why we have the dropouts.

But let's take a look at the older worker, the individual who, for whatever reason, becomes unemployed. How do you see OTAB meeting the needs of that individual?

Dr Lawton: My contact with people in that category—there is my wife who returned to adult high school recently, once the kids were in school. But also, I did a study looking at the funding of adult education by public boards a few years back, and I was impressed by a number of programs that boards such as Sudbury and others were operating in basic literacy.

I do think there's a tremendous variety of needs in that area that's very difficult to generalize. In an English class, you'd have a new immigrant who's a professional who simply has to master the language a bit. You'll also have people who've been laid off, perhaps have been injured on the job, who really are simply seeking to have what I would call a reputable status in society. They've been essentially put by the side and they no longer have a role and so by coming to an adult class and having an opportunity to participate with others, they are able to essentially take part in society actively and perhaps may learn other skills that would be productive contributions within their family.

I don't know that we can only look for jobs in the workplace. I think we have to look at productivity in other ways in society: caring for the elderly, caring for children and so on that may not in fact be in the wage system.

Mr Sutherland: Mr Lawton, it's a pleasure to have you here and OISE represented, certainly a well-recognized institution in the province, particularly in the areas of research and other areas regarding education.

Some day I wouldn't mind having more discussions about education and how it seems that people are concerned about our education system and some of the aspects that seem to be ignored in international comparisons about the number of hours per week our students watch TV compared to other countries, and of course the number of hours per week they work in part-time jobs, which for ourselves and our neighbours to the south seem to be higher than any other country in those two categories.

Dr Lawton: Indeed.

Mr Sutherland: You mentioned about national standards and I just want to draw your attention to a piece in the legislation under the objects section, number 6. It does state: "To participate in the development and promotion of common standards in occupational training, so as to enhance labour force mobility by making skills more portable."

You did mention about national standards and I think it's important to understand that the terminology is common because OTAB by itself, in the nature of being an agency, can't set those standards by itself, obviously, in terms of a national basis. That requires the government dealing with it, but certainly it can play a very active role and I think there is a mandate being outlined here to work with those groups that set the standards there.

OTAB by itself may not be setting the standards and some groups have done a good job. We've had the construction association in here, where it's worked well to develop its own

standards. So I just want to draw that to your attention, that there is a mandate.

Dr Lawton: Thank you very much. I must admit, as I say, I'm something of an outsider to the field.

Mr Sutherland: Sure. I wanted to bring that to your attention, that there is a mandate there for that to occur.

Dr Lawton: Yes. I would also hope—the occupational level. I often also think at the professional level, as I say, at all levels, is something we have to be concerned about in terms of labour mobility. But thank you.

Mr Sutherland: There's also a sense there that I don't believe OTAB is looking at being the actual operator of programs of that. There may be a few that it may end up, but that's certainly not its main mandate or outlined in the aspects of the legislation, that it will be the body operating all the training programs in the province.

Dr Lawton: Right. It was only that word "provide" that I thought might be ambiguous to some people. Technically, I think it does mean "fund," not "operate." To many people it might mean "operate."

Mr Sutherland: That's certainly the sense anyway, at this stage, that that's so. So I just wanted to bring that to your attention and to the committee's attention. I think they are the only comments I have.

Mr Gary Wilson: I'd like you to elaborate, if you don't mind, on the context you see this in what you provide for youth. For instance, you mentioned that this main aspect of the high school program, at least the general level of this, would appear to be—well, even worse than a waste of time; it's probably destructive of lives, in effect, because it's so damaging to the kids' futures.

Dr Lawton: It's certainly not maximizing the capability of many of our youth; put it that way.

Mr Gary Wilson: I was wondering whether you have an idea of how training could, I guess, address that issue.

1550

Dr Lawton: I admit to being something of a novice in this area, and this is why, among other things, I brought along the précis of several of the presentations in our conference. I would draw your attention to the description of the one on the second page by Kaori Okano, from LaTrobe University, where she describes the Japanese system, what she calls the job referral system and the framework that's used in Japan. I also on sabbatical spent some time in New Zealand two years ago, and they're working to develop a training system that would sort of link with a youth program.

I must admit it's not my area of specialization, but it's something that I felt worth supporting Bill 96 and bringing it to your attention. I think what Dr Okano had to say here is the type of program I had in mind.

Mr Gary Wilson: I guess one thing that interests me is that a purpose of the legislation is to affect the behaviour or the attitude people have to training. Again, I'm thinking that if anything to do with education and training is—

Dr Lawton: I have one solution there, and that is to rename the University of Toronto the Technical Institute of

Toronto. That will raise technical education to a very high status overnight and that will solve most of our status problems.

But we do have a cultural divide there, the Platonic dualism, I think they call it, between hand and mind, and the University of Toronto is convinced that anything that happens below the neck is not to be credited and vice versa. I think that alienation between the two is one of the core problems we have in our society, because, as we all know, many jobs are increasing in terms of their knowledge requirements. Even the most technical or practical of jobs seem to involve a great deal of knowledge. You look at being a custodian today and you have to worry about occupational health and safety and you didn't realize you were dealing with chemicals that if mixed improperly might blow up the school. There are greater expectations across the board. I do think there's that duality and the status issue there that is a difficult one.

I don't have any real solution, other than to at least have somebody saying it's important and perhaps, as I suggest, providing some competition for our academic high schools, because if you go into most high schools, you know what I mean. It's the math teacher, the science teacher and the English teacher in the A level who define what that school is about and we don't have anyone standing up for people who are inventive with technology.

I've been in schools—I recall one where a fellow had done tremendous stagecraft work and invented machines, and when they called the curtain, the author came out, the players came out, but they forgot the tech guy in back who made all the things happen.

It's this sort of story you pick up that you realize the status technical prowess is given here. We don't have an MIT or a Cal Tech in Canada. I think that's unfortunate, but I think that's what you need, institutions like that, to change the idea of how important it is to our culture and society.

Mr Gary Wilson: I hope you saw enough of the legislation to realize that we are trying to include everyone in the work sector, that is, employers, workers and people who want to be working. We hope that representation will lead to that kind of change in behaviour and attitude.

Dr Lawton: That's great. As I say, basically, I support the bill and I'm pleased to see this initiative. It's similar to initiatives in Australia, Germany, England, New Zealand and so on and so forth. I think it's a move in the right direction and I support it.

Mr Ramsay: Thank you, Professor Lawton, for your presentation. I'm actually quite flabbergasted by your recommendation here. I have to say to you that I'm very much against what you're recommending here and I'm going to be very frank and tell you why.

Dr Lawton: Which recommendation?

Mr Ramsay: I'm sorry, the recommendation that OISE could really provide a service to OTAB. Quite frankly, even though I believe that one of the flaws of OTAB is the imbalance of its representation, and not only on the workers' side that we always talk about but also I think it needs some more people from the education stream and private trainers and other people there, I think why the Ministry of Skills Development avoided loading OTAB up with so many educators is

that, quite frankly, the education system has failed us today in Ontario and it's why we're in the mess we are in today.

I think institutes such as OISE have steered us down the wrong path, quite frankly, and your group would be the last group I would want to see getting involved now with training. I think the whole philosophy here is to get away from the institutions of the past, though I'm sorry we're going to now maybe create another institution, but try to get the players involved, the workers and the people who hire the workers, to try to straighten out the mess and to try to assess what their needs are, because you say and I sort of agree that the universities, in a sense, establish the high school curriculum, you know, based on standards that they want to see in entrants.

I guess my question to you is, why haven't the high schools of Ontario been able to attain that?

Dr Lawton: Well, you ended up on the wrong question. As I said, I come here privately, but I'm proud of many of the things my institution accomplishes and many of the things it can do, and I think that if you review the conference that we have scheduled here, if you look at the types of participants, they come from labour, they come from business, they come from universities. It's a full range. They come from around the world.

I was not suggesting that we should be appointed a spot. I'm not here to get a spot on any committee or board. I'm talking about services where you say: "We have a training program we need evaluated. Is this working? We want to change values of these people. Can you do a test or an evaluation of what their value stances are and whether they've changed or not?" It's that sort of technical assistance that I was particularly meaning, or putting on conferences such as this, which I think is the sort of cross-talk, if you like, between different people from different places about what they're doing. That is the sort of process we need to go through in order to bring about these changes.

Whether other things that our institution's done have not necessarily been helpful, well, we can each judge those. These are the particular services I was speaking of. I also indicated that I think that institutions such as OISE need to be sent signals too by OTAB about what is needed. That is to say, if somebody doesn't tell us, "We need you to evaluate a program," or "We need you to find out what skills young women need," or, you know, "Women in mid-career need retraining when re-entering the work force," we may not be doing it. I admit the need for external signals to tell institutions what to do.

I think that as far as the education system is concerned, we have to look at the fit, and perhaps the MPP remembers me saying this before: You have to look at the fit between the educational system and the labour market, the economy out there, and I think that our educational system probably did have a pretty good fit in the late 1960s, early 1970s in terms of the proportion who went on to university and the proportion who went out to work. There were jobs there with General Motors, with Inco and so on to kids, even those who dropped out after grade 10.

What we now have is an economy that's not producing many of those jobs, so we have a situation where the 30% or 40% or 50% or 60% who didn't go on to post-secondary education can no longer go out there and expect to earn a

living wage, and it's that problem—what was the one out of the States?—the high wages or low skills dichotomy where I think our system has changed. Unfortunately, as I've suggested, with the lack of people coming in from outside the province and around the world to head up our educational system, it's an ingrown, inbred system where each generation trains the next.

When you don't allow other people to come in from outside—I recall when they wanted to bring someone into Toronto from Philadelphia to open storefront schools and the Minister of Education vetoed it. So when you say: "We have a closed shop for educational leaders. We will not listen to anyone from another province or another country to come in to head up one of our school boards," then it shows me that you have a system that is not given towards change but is given towards the status quo of maintaining what has been and what fit for the last generation, not the next generation.

Mr Ramsay: I'm pleased with your comments there. I think you're right. I think it has been a closed shop and we need a breath of fresh air; we need expertise from around the world. I think maybe your conference is a good step towards bringing that, because, as the environment I think was sort of the issue of the 1980s, education, according to my constituents, is going to be the issue of the 1990s. People are very concerned and they're worried about their children.

Dr Lawton: I agree. I have a nine-year-old and a five-year-old in the public school system in Metro. I'm concerned.

Mr Ramsay: Good luck.

Dr Lawton: Thank you.

1600

Mr Offer: Dr Lawton, with respect to your presentation, I'd like to direct your attention to the legislation itself. When you take a look at the objects and the purposes, they are extremely broad. I mean, you could just drive a truck through that stuff. Clearly it is within the scope and mandate of OTAB to do basically whatever it is that they want. I disagree vehemently with those who say that they are there to support, because the objects are very clear: that they fund, they can design and they can provide programs. They are in the driver's seat of this vehicle.

The problem I'm sensing is that no one really knows exactly what it is they are going to be providing. People have different expectations as to what OTAB will do, about what the local boards will do, about what they can do, about what they should do, about the criteria. I find that potentially at the end of the day we will all have discussed something, the particulars of which we won't really have a handle on.

Do you feel there is some need to address this glaring uncertainty and differing expectation in the legislation before it becomes law?

Dr Lawton: I read through it briefly and I must say I think we're at a point where—I'm one of those people who say: "Do something. It's better than doing nothing because you might do the right thing, and if you don't do anything, you've certainly done the wrong thing." I just think that it legitimizes a whole area, it tries to organize a whole area, of job entry and further learning that we've not had before.

I doubt very much we'll see our country to the south doing this sort of thing, even though if you listen to Mr

Reich, the future head of the labour department there, I think he talks very much about training. Yet I suspect they'll never get their act together to do it, whereas countries such as Germany and New Zealand and Japan and Australia are doing very similar things. I'm sure your committee and the people who drafted this legislation probably pulled their legislation and looked at what's in it, and if not, I'm surprised. I'd assume that's the way laws are written. But, you know, other people are doing this sort of thing.

The concern about the bureaucracy, particularly if they're operating their own programs and they become—having a vested interest; that's the concern I have. Beyond that, if they are a regulatory agency, they're looking to work with the federal level in terms of the development and operation of training programs. They can take away the money when the evaluation says it doesn't work. They can shift money as jobs change. I think we need a body doing that sort of thing. Even if it's not the best legislation, I think it's a move in the right direction. For my children's sake, I think we ought to do something in this area.

The Chair: Thank you, sir. Mr Lawton, the committee thanks you for appearing here today. You've provided very valuable input into the process of the committee. We're thankful to you. We hope that you'll keep in touch and watch the progress of this bill and continue to speak out as you have this afternoon.

Dr Lawton: You're most welcome. Thank you for the privilege.

ONTARIO ASSOCIATION OF CAREER COLLEGES ACADEMY OF LEARNING

The Chair: The next participant is the Ontario Association of Career Colleges/Academy of Learning (Mississauga). Please come forward and have a seat. We've got your written materials, which will be filed as an exhibit and form part of the record of these proceedings. Tell us your names, your titles, if any, and proceed with telling us what you will. Please try to save 15 minutes of the half-hour for exchanges and dialogue. Thank you.

Ms Sandra Whitehead: Mr Kormos, honourable members of the standing committee on resources development, ladies and gentlemen, my name is Sandra Whitehead. I'm here today together with Max Jacob, the president of Academy of Learning, to speak on behalf of the Ontario Association of Career Colleges and as a private trainer in Mississauga.

As I sat down to prepare for today, I thought a lot about the roles I have taken on in the community. I'm a member of the Canadian Association of Women Executives and Entrepreneurs and hold a position on the Mississauga Business Women's Network board of directors. I'm secretary-treasurer on the board of the Halton and Peel Industries Training Advisory Committee, also known as HAPITAC. I'm owner and training director of two Academy of Learning private vocational schools in Mississauga. Academy of Learning has 66 schools from coast to coast across Canada, 43 of which are in the province of Ontario. I serve on the board of the Multi-cultural Assistance Services of Peel and am a member of the Ontario Association of Career Colleges.

I can't separate these roles in speaking to you today. I come to you with an accumulation of information and ideas. Working with the Mississauga Board of Trade's education and training committee, HAPITAC, Mayor McCallion's task force on training, and local Canada employment offices, all facing these same issues, and in my role as a private trainer, has brought me to this day. We all know that in this room there are a number of contentious issues to be discussed. I stress in advance, we must come together, work together and open ourselves to ensure that this process respects all opinions.

I want to focus on the following. OTAB representatives have always delivered the following messages:

OTAB is to be a self-governing agency operating within a policy and accountability set by government. OTAB has a mandate to provide leadership to labour force development and improved access to training. OTAB would consolidate Ontario's present training programs and remove any duplication within ministries and government departments. OTAB would develop policy, advise on labour force development and collect and provide labour market information in conjunction with the Canadian Labour Force Development Board and Employment and Immigration Canada. OTAB would provide guidance and resources to support local boards, which must have supremacy in the process.

Deliberations on OTAB have now reached the stage of enabling legislation. It has been a lengthy process and, from the simple perspective of producing solutions to training people in communities across Ontario, far too long. All the many months and now over a year that has passed by dealing with the process has sometimes, from the public's point of view, seemed to ignore the basic fundamental issues on the table. Let's get to work. OTAB must be a partnership of interest, not the forced system of polarization that we tend to see in the legislation. There is mutuality of interest between labour and business, women and business, disabled and business, women and labour etc.

Participation in OTAB should be based on servicing the training needs of the community of Ontario rather than the particular interest of any of these groups. Why is it even necessary to have the designations as set out in the proposed legislation? Surely all directors should be capable of speaking for all sectors and of understanding all opinions, constituencies and perspectives. Personal or political agendas must be subordinated to all of the training needs of Ontario. It's not a struggle for control. OTAB is a partnership. OTAB can be a hallmark achievement of this government, but all political considerations and political agendas must be set aside in the legislation. It is inappropriate to bring this legislation forward with a political agenda in mind, just as it is inappropriate to object to the legislation or parts of it with a political agenda in mind.

Our greatest concern rests with the wording on page 9 of Bill 96 and the reference to "local training and adjustment boards," "councils" and "reference committees." Every meeting I've attended where representatives of Canada Employment, Ontario government or the local board secretariat have attended to share information has spoken about local boards coming into being as a result of a local community effort.

Imagine our dismay when we read the words, "OTAB may designate local training and adjustment boards that have been established in accordance with the regulations made under

this act," and further to read that "Designated local training and adjustment boards have the powers and duties that are delegated to them by OTAB and that are assigned by the regulations." OTAB, the broad policymaking body, cannot and should not be designating or establishing local boards to deal with local concerns.

I attach hereto, and use by example, the Mississauga Mayor's Economic Forum Task Force on Training, wherein all partners and participants stressed that the local board must be a community-based creation focusing on local issues. Local board meetings across the province have stressed in various ways that they are committed to bottom-up local issues of training and training choices. Of course, they must be accountable to OTAB and the Canadian Labour Force Development Board.

On a final and more personal note: please spend some time—visit some of the Canada Employment counselling sections, the social agencies, my schools, if you will—sit and listen to the stories, the pain, the difficulties experienced by ordinary people in search of jobs and access to training and retraining to equip themselves and pay attention to this raw and real need. It will bring you back to what OTAB and the local board process is really all about. Let's build a strong training culture in this country and province for all of the tomorrows and put into practice the concept of lifelong learning. Max Lacob will continue from here.

1610

Mr Max Lacob: Thank you. As a concerned group of participants in the training and education industry and as an active partner in communities across Ontario, we have proactively participated in a consultation process with regard to the creation of OTAB and subsequently local boards. During the past few years, we've had an opportunity to provide services to a diverse client base, including clients sponsored by various programs offered through federal and provincial governments. This exposure has provided us with a broad understanding and appreciation of the needs of our communities and the needs of the people living in these communities.

The purpose of the enclosed document is to acquaint you with who we are and to share with you our views and opinions on Bill 96 as it relates to the new board and its function. Further to this, we enclose a paper which focuses in on the need to develop a lifelong learning/training culture, particularly as it relates to small businesses. We've enclosed this paper at the back of our presentation, and if there is time or at any later stage, we would be delighted to discuss it with the members.

We hope that the views and the opinions expressed in this paper will contribute to establishing the focus of OTAB. In closing, we would like to express to you our desire to participate in this new system. We've been active participants in the consultative process to date and feel that we have gained a valuable insight into the concerns and issues at hand. We would like to have your support in this process as it is important to us that the proposed reforms will offer a workable solution for generations to come.

As Sandra said, the Academy of Learning is a private vocational school with 66 member schools across Canada. We are the fastest-growing training institute in North America; 43 of our member schools are in the province of Ontario.

We are currently in the process of expanding our system to the United States with the opening of our first school in the state of Massachusetts.

We've been involved in the process of establishing the Ontario Training and Adjustment Board by actively participating in the consultation process with the education/training sector in January 1992, which led to the appointment of a temporary reference group. The reference group was charged with the responsibility of selecting representatives for the local board consultation process, the OTAB consultation process, drafting the terms of reference for a permanent reference committee for the education/trainer sector and finally working together through the process of selecting two individuals to represent the education/trainer sector of the Ontario Training and Adjustment Board.

Further to our participation in the process to establish OTAB, we have actively participated in the process to establish local boards by mobilizing the members within the Academy of Learning country-wide to participate in the local board consultation meetings which took place in April and May of 1992. We feel that our members made a valuable contribution to the process and have much more to offer in the upcoming task of establishing local boards, as they are both reputable small business people with their communities and quality, results-oriented trainers who have worked extensively with a vast cross-section of the people within their communities. Our centres have had the opportunity to provide service to many of the government agencies, both federal and provincial, and are dedicated to filling the training needs of their clients with the most suitable quality, results-oriented training available.

It is with this in mind that we wish to continue our participation in the process of establishing OTAB by offering our comments on Bill 96. However, by the same token, we would like to voice our concern over the somewhat lengthy and cumbersome process, the result of which has been a decline in the interest level of the stakeholders involved. We, as a dedicated and committed stakeholder in the process, would like to make an appeal to finalize on the establishment of OTAB so that interested parties will have the motivation to continue with the process of the establishment of local boards within their communities. We appreciate the opportunity to be able to provide our input and hope that it can be used constructively in the final presentation of the bill.

Research and development: Paragraph 4(1)2, under OTAB objects, includes a provision to carry out research and development, but does not clarify the mechanism to do the same.

In terms of training and education, in the publication *Skills to Meet the Challenge* a suggestion was put forth to establish a learning network. This learning network would mobilize trainers and educators to pool their resources to develop standards in curriculum design and contribute to best practices in training and labour force development. This could create a more equitable and accessible training resource which would allow for transferable skills and encourage a greater participation in skills upgrading. Within this context, we endorse the formation of this valuable resource and would like once again to offer our participation.

Labour market information base: We believe that the development of a labour market information base is an extremely important objective, as it is possibly one of the key elements which is lacking in the current structure. An information base which is accessible by anyone dealing with the users and potential users of the programs and services available will be in a better position to counsel the same in terms of trends, focus and direction. This information base, combined with the amalgamation of the many programs and services available through the various ministries, will ensure a more equitable and accessible matching process of client to service.

Establishing links: It is essential that links be established between provincial programs and services, federal programs and services and municipal programs and services. This will ensure that a duplication of programs and services does not take place and will allow for the best possible use of resources. Amalgamation of the programs and services available through provincial programs is the first step towards creating a more accessible, less cumbersome system. Developing a true partnership between the levels of government and the stakeholders is a crucial next step.

Program criteria: The current system allows for too many people to fall through the cracks as it addresses specific demographic market segments. For example, what is currently available for individuals between the ages of 25 and 45 who have been affected by economic conditions and find themselves unemployed with outdated skills? It is even more devastating that these same individuals have exhausted their UI benefits. An alternative method of matching client needs to program must be considered in order to allow a more flexible and accessible service to the client, while at the same time funnelling them through the most appropriate channels to achieve the desired end results.

Levels of investment: In paragraph 4(1)14, the objective states "to promote appropriate and sustainable levels of investment in labour force development." How will this objective be met? What mechanism will be put in place to identify "appropriate" levels? Currently, the demand for high-quality training far exceeds the ability to supply and satisfy the need. Many of the programs and services now available are quickly becoming overburdened and ineffective in their ability to meet the needs of the client. This results in ineffective use of the funds available and frustration on behalf of the client attempting to access the services, and contributes to the additional burden of an already overburdened system.

Education systems: The bill singles out the use of public institutions in seeking to ensure the strength of same. While public institutions are a valuable and necessary partner in delivering services to Ontarians, the other training partners are equally important in meeting the specific training needs of the population. Therefore, we feel that paragraph 4(1)16 should be removed from the bill and that paragraph 4(1)15 should be changed to include all the identified education-training resources which have already been recognized by the government as viable resources.

Accountability: Not only should OTAB be required to operate within a framework of accountability to the government of Ontario, it should also be required to be accountable to the stakeholders. The governing body of OTAB is made up

of representatives elected by the relative constituent group. These representatives must be made accountable to the group that selected them and which they represent. This is crucial to ensure that each constituency is being represented in a manner which is acceptable to it. If the selected representative is not reflecting the views and opinions of the constituency to which he is responsible, provision must be made for the replacement of the individual on the governing body at the discretion and direction of the constituent reference group.

Local training and adjustment boards: In establishing the local training and adjustment boards, it is crucial that each community be charged with the responsibility of mobilizing its own communities to designate a local board which reflects the composition of the community within a predefined framework. The framework is one that must be jointly approved by each level of government and contain all necessary provisions for accountability to ensure equity in access to programs, results-oriented training and a fair and equitable tendering process.

The designation of local boards must not be made by OTAB, but rather in consultation with OTAB. By the same token, local boards should be autonomous bodies, accountable to OTAB and the labour market partners they represent, and as such should not be delegated responsibilities and duties by OTAB. As to funding local boards, it's quite vague whether the level of funding—if any—will be the responsibility of OTAB, and whether federal funds will flow through OTAB or be distributed directly to the local boards.

Councils: The bill is quite brief in its description and inclusion of councils which are to be established as committees of the board of directors. Due to the significant roles that these councils will play in the successful operation of OTAB, clarity must be made in terms of what specific councils will be established and what duties, responsibilities and accountability structure will ensure their effective operation.

Reference committees: In order to ensure that each constituency is reflecting the views and opinions of the group it represents, it is essential that the reference committees are established most definitely at the provincial level, and ideally at the local level. Funding must be made available to these committees to cover at least administrative costs and possibly loss of time. The wording in the bill leaves it open to the possibility of these committees not being established and not receiving adequate operational funds.

Representation: The representation of the labour component in the governing body is not clearly defined. Labour is broken down into two categories, union and non-union. As such, the composition of labour on the governing body should reflect Ontario's labour force by appointing a like number of unionized and non-unionized labour representatives. We urge the resources development committee to give consideration to the important inclusion of all labour groups.

Thank you. We have, I think, overextended our welcome.

1620

The Chair: Thank you, sir. We have three minutes per caucus.

Mr Gary Wilson: Thank you for your presentations.

I'd like to first turn to the issue of the local training and adjustment boards, since you both raised that in your presentations, and say to Ms Whitehead in particular that the reason

it's set out the way it is is because the boards will be set up in consultation with the federal government and the Canadian Labour Force Development Board, as well as the government and OTAB. So OTAB clearly has to be in place before that consultation can begin. But to make sure that the interests are represented and the board is set up in such a way that all parties will see that it works in a way they'd like to see it work, then we have to wait for that.

But it isn't that OTAB will be setting out how these boards are going to work and the representation. That will certainly be a consultation process that, as you know, has already been entered into, and that will be picked up again as the board is appointed.

Mr Lacob: We are, incidentally, very much in support of the bill and the concept, and I would say both as an industry and as a company.

Mr Gary Wilson: Right. I'd like, Mr Lacob, to pick up on the accountability for the couple of questions I have in that regard. You think that the people appointed to the governing body should represent the particular sector. We had a presenter from another private institution who was quite comfortable with what he called the multi-hat role. He felt that he could represent the community, in fact, which is the way we projected it, that we expected the appointees to this board to be representing the public interest. I was just wondering what your views on—

Mr Lacob: If that's the constituent body that they are representing, then they would be accountable to that individual in so far as the body he's representing is concerned. I have no difficulty with somebody wearing two hats. If somebody is representing the business sector, he really should be interested in the business sector.

Mr Gary Wilson: But you don't think that they can go beyond that to represent wider interests?

Mr Lacob: Yes, but once again, they might well be representing two different sectors. It might well be the same individual, but being responsible to two different sectors.

Ms Swarbrick: Actually, I'd like to ask you for some clarification on that because I'm a little confused between the two presentations. The first one says: "OTAB must be a partnership of interest, not the forced system of polarization that we see in the legislation. Participation in OTAB should be based on servicing the training needs of the community of Ontario rather than the particular interest of any of these groups." So I thought one of the things you might like to hear was that we are requiring that all representatives in fact remember that they're servicing the whole public interest.

But then when I get to the second presentation that you've just made, you have said, as you're just continuing on, that these representatives must be made accountable to the group that selected them and that they represent, or they should be replaced, which would make me, as I'm hearing now, think that you don't want to hear that in fact everybody is expected to be serving the public interest, even though they bring with them the experiences of the particular group they come from.

Could you clarify which it is?

Ms Whitehead: I think that one of the things that was really important—and I speak for Mississauga because I'm

very closely involved in that and with the mayor's economic task force, which is dealing with the local boards and they're a great concern. Every constituency that attended and supported and promoted that particular day's event said: "Don't only represent where you come from. You're coming from labour or from business or from being disabled or women's action groups or whatever, but please, always speak for all of things that you know and that make you up." That was such a strong and positive thing that came out of that day.

Ms Swarbrick: I'm hoping that maybe we'll be able to satisfy you both, because we are asking that everybody serve the public interest, but under section 20 there are also the reference groups that will be established so that members in fact do have some accountability also back to reference groups.

Ms Whitehead: I think what sometimes filters down to us at a certain local level is this jockeying for position. Perhaps those are the wrong words. Everybody's guilty of that and that's the appearance. When we brought it down to our local level, it didn't matter to anybody that this was the reality, the strong position that came out of what we were doing on that particular day.

Mr Ramsay: Thank you very much for your presentation today. You've really touched on a lot of points and have been very helpful for we who would want to propose some amendments. I would find probably, though, that of particular importance to you, coming from the private training world, would be the recommendation you have made that we basically scrap paragraph 4(1)16, and I think you're right. It says, "To seek to ensure, within the scope of OTAB's operations, the strength of Ontario's publicly funded education systems."

I agree with that because any modern thinking today about reorganizing of government would say that public service can be most effective if it is opened up to competition. Not only is it more effective for taxpayers, but also it gives the bureaucrats in those departments a better sense of themselves because they understand now that they're winners, not that they're there because they've got a secure government job but because they've been able to compete with other people doing similar functions in society.

If we're to receive, as taxpayers, the best value from our governments, we need to have basically a public service that's competitive with the private sector. I agree with you for sure that we've got to open that up and just maybe strengthen subsection 15, that we make sure we use effective use of all of Ontario's diverse educational and training resources and not sort of steer OTAB into, "You've got to enhance the public sector."

Mr Lacob: If I may just respond to that as well, the private school sector is very often perceived as purely a competitive private school sector. This isn't correct.

I should have brought a profile of the student in the private school sector. The private school sector caters for a very different student from those of the public school sector. In fact, 40% of the students in the private schools have already had some university or college experience, and they're now in the private school sector because that form of training, that form of institution, was not acceptable to them. We really are an extension of the school system, not a competitor biting into the same pie.

Mr Ramsay: So what you're saying is that you should be treated as an equal partner in developing training and the—

Mr Lacob: Absolutely, because we are catering for a very different client base. A very big portion of our students are, for example, over 35 years old. A major component of our students are new immigrants, new Canadians, visible minorities. This is the profile of the student in a private career college.

Mr McGuinty: I'm very concerned about this issue of accountability and I'm going to tell you why, and I'll then ask you to comment on this, please.

First of all, the people who are to be on the board—there are 22—are each described in terms of the groups they represent, and it provides that each director has to be selected in consultation with an organization representing the group that the director is to represent. Then we've got 18 objects, and in those there's no mention whatsoever of the public interest. Then with respect to the purposes clause, again there's no reference to the public interest. Does it not seem to you that we've put nothing in place in order to ensure that this process culminate in something which is in the public interest?

Ms Whitehead: In all the cases, if you're at the local board level or if you're at the OTAB level, you have to be accountable to all the subcommittees which may go into feeding in information. That information comes from every possible constituency; hopefully all.

In any subcommittee process, which is what I would like to see, supporting both the local boards and OTAB, all that information comes in and everybody deals with it and everybody tries to understand it and everybody goes out and seeks that sort of information. So I suppose when the director comes from the business or the labour constituency and has that reporting obligation and so on and so forth, it's not just that; he or she must take on and absorb all of the information and all of the constituencies that support the whole process.

1630

Ms Cunningham: Thank you very much for a very thorough presentation on both your parts. I'm looking right now at the document with regard to the mayor's economic forum, the task force on training. I'm assuming that both of you were either there or you knew about what was going on.

Ms Whitehead: I was present.

Ms Cunningham: And therefore you are making recommendations to the committee today. One of the points you're talking about in that document is with regard to the structure and composition of the local board. You've given us three or four alternatives to look at, and I thank you for that. You talk about unorganized labour having its own representation. Is one of your concerns in making that statement that unorganized labour is not represented in the labour section of the OTAB main board?

Ms Whitehead: That's correct. There was a lot of discussion throughout that whole day. All the groups were of mixed composition, and everybody was concerned about this issue of unorganized/organized labour. Organized says it represents unorganized; unorganized doesn't really say anything. But they are the population, obviously, which the local board and OTAB are to serve, part of our workforce.

Ms Cunningham: The complaint from the government is that unorganized labour has no vehicle by which to send representation to the major board. How would you respond to that?

Mr Lacob: We've just gone through this exercise in the York region steering committee. I believe that members of non-organized labour who are interested in participating in the process should be approached to come forward to either tell us that they approve of the composition or to tell us that they would approve of whoever would be nominated.

Ms Cunningham: Are you talking about the OTAB board itself now, or are you talking about the local training board?

Mr Lacob: I'm talking about the local training board.

Ms Cunningham: My question was about—but it's probably fair, and continue on, because you would probably use the same process whether we're talking about the training boards or OTAB.

Mr Lacob: We in the York region district would like to proceed with the process, but we really have great difficulty being able to define what is meant by "the labour movement." Is it organized? Is it a combination of organized and unorganized? Are there some guidelines to define what is meant by the labour component? It really is very difficult for us, and this is probably the biggest stumbling block we have in our region, the formation of a local board. We just really don't know—

Ms Cunningham: Do you know what you want for your region?

Mr Lacob: Personally, yes. We very much would like the region to be representative of the community in the region. If there are eight seats in labour and organized labour is 23% or 30%, logically one would expect that this is how the composition should be made up. However, if non-organized labour chooses to have an organized labour representative, that's also fine.

The Chair: I want to thank you, Mr Lacob, and you, Ms Whitehead, for your participation this afternoon.

Ms Cunningham: Excuse me, Mr Chairman, I checked the time, and I did have my five minutes. I have to tell you that we went five minutes longer, but it wasn't my problem.

The Chair: The others only had three. It's because I like you, Ms Cunningham.

Mr Lacob and Ms Whitehead, we're thankful to you for coming here this afternoon and providing the input you did. That's an important part of the process, to hear from all sectors of the community, and we're grateful to you. We trust you'll keep in touch. A transcript of your participation or any other part of these hearings, of course, is available to you either by calling or writing the clerk or through your own MPP's office. Thank you kindly.

Mr Lacob: We urge that you, on your own time, just study this document. We think we've gone a long way towards addressing a major problem we have.

The Chair: Committee members are put on notice that there's going to be a test at the end of the hearings.

Mr Offer, you had a matter you raised earlier. You had a request of the parliamentary assistant or ministry staff. One or

two members of the staff are here, as well as the parliamentary assistant.

Mr Offer: God, you caught me by surprise, Mr Chair. I have five points to bring forward. After hearing some of the presentations today, I wonder whether we could have legislative research look into providing information to the committee, based on what has been brought forward to the committee, dealing with a model of some training devised in Germany. I think that would be helpful for us to take a look at, and I would like if there could be particular emphasis on the makeup of that training framework and its funding.

The Chair: I trust you're making that request of ministry staff as well, if they have access to it; one or the other.

Mr Sutherland: It's probably in the Premier's Council report. It seems to me, when I read through it, that there was quite a bit there on the German model.

Mr Offer: I was making it from research, Mr Chair.

Also, to ministry staff, a question dealing specifically with section 21 of the act, which speaks to the issue of OTAB charging fees for services. I would like to get a clarification of what that means, what is envisaged with respect to the charging of fees, together with a meaning as to the interrelationship of sections 21, 22 and 23.

Those, Mr Chair, at this point, are my requests. I have a matter before the committee. It's fine to bring it up?

The Chair: We'll deal with that in short order. Ms Swarbrick, ARCH and Mr Baker, you spoke of earlier.

Ms Swarbrick: Yes, and I can be quite happy to have the paper. If there are blank spots and if I'm not opening up a can of worms, it would be nice to hear him personally; otherwise, I'd be happy to receive the papers referred to, including Mr Baker's.

The Chair: Okay. We're going to ask research and/or ministry staff to track down the articles—

Ms Swarbrick: By David Baker. He worked with or works with ARCH.

The Chair: ARCH, Advocacy Resource Centre for the Handicapped.

Mrs Cunningham: Just to add to Mr Offer's requests, since the minister referred to them, I think we should be looking at the models that were looked at from the United Kingdom and the Netherlands.

Can I ask a question with regard to process? Normally, when we're having public input around legislation of this type, the minister would be representative, or his deputy or someone else sitting at the front. Who is representing the government in this regard?

The Chair: The parliamentary assistant is here and is going to stay with us. Mr Wilson is the parliamentary assistant.

Mr Gary Wilson: No problem, but there's no requirement, is there?

The Chair: No, Mr Wilson's primary—he's here to relay messages and, as I say, he has one or perhaps two of the ministry staff people here with him to similarly take messages back to the ministry.

Mrs Cunningham: Could you tell us who the staff person would be whom we would talk to if we had to?

The Chair: Mr Cohen is here.

Mrs Cunningham: Well, normally they're sitting at the front so we know who they are. It was very difficult for me to know who the key people were.

The Chair: You're quite right. It's important that people know, but Mr Wilson is just a laid-back, unobtrusive sort of person.

Mrs Cunningham: It's nice to make it more clear by having them sit at the front, but for some reason you don't want to do that. Why clarify anything?

1640

ODUIT RAGHUBIR

The Chair: All right. We have as our next participant Mr Oudit Raghbir. Sir, please come forward, have a seat. Please tell us your name, anything about yourself you would like and then proceed to tell us what you will.

Mr Oudit Raghbir: Yes, sir. My name is Oudit Raghbir. I'm here representing myself, no self-interest group, no employer, just a concerned individual. I'm currently an employment counsellor with the Canada employment centre. I was previously a welfare worker in Metropolitan Toronto.

This is about the third recession I'm experiencing in the city. I grew up in this city in what we used to call the hippie era. I think most of you, your faces appear fairly younger than me.

The primary reason I'm here—I had a lot more thoughts in mind, but after reading the article in yesterday's *Star*—it was an interesting article, and most of you must have read it, about different opinions in jurisdictions.

I'm not a politician; I'm just an ordinary guy. When I listen to some of this discussion people are talking about, it's a good idea, because for a long time this province and many provinces have been trying to have some kind of training format that we can give people for the future. I hoped the start would have been around five or 10 years ago, when most people predicted that Ontario would end up the industrial pasture of Canada. Well, we can still try; we still have time.

There has been some indication about the vast number of people we have on the welfare roll, that we can move them around and make them gainfully employable and productive. It's a good idea, but in any recession, when people end up in those situations, I don't know how many return to the workforce; very few, because psychologically, emotionally, most of them have gone downhill, there are other problems.

I think personally—I've been around a little bit, as I said—there's more to be done on this issue. How do you go about doing it? A lot of senior civil servants have been around this issue for a long time. This is not something new. The educational system will have to be built into this. Maybe we should have one educational system instead of a two-board system. I'm sorry, I have to jump around to get to the issue here. You have to do that if you want to be cost-effective.

I came here primarily to give you some historical information. I'm not going to say who is a rookie and who is not, but I have been around, and a lot of federal politicians have said to me many times, "Hey, we've been in Ottawa for 20 years, but we haven't got street knowledge, and you need to have people with street knowledge to aid this process."

I'm going to use the word "recycling." Most of you may not like the word "recycling" of bodies. You can recycle me too, you know what I mean? If you look at the world welfare system today, we have a lot of good, capable bodies with a lot of excellent skills. These may be \$20- and \$30-an-hour people. We can turn them around, subsidize them a little bit more, and let them be productive out there.

In what sense? I'm telling you in Toronto, Ontario, here alone you need about \$40 billion to bring all these buildings, co-op housing or private buildings, up to standard. All these people can be fully employed for one third or 25% of that large amount of money.

There are a lot of things we have to pull together. I was struck, after reading the article yesterday afternoon, whether this exercise is going to be fruitful. I don't know, sir. I do have some concern about that.

The last time I was in this building was when the management committee was cross-examining—I'm sorry to say this—the chairman of the Ontario Securities Commission when this province deregulated financial institutions. I'm coming to the point, what I want to get at. We can do things in this province only to make people constantly richer and richer. Rather than that, we're going to be in some great difficulty.

With this system you have now presently—I have a reason for getting to that. Why I'm mentioning that is to let you know that I have been around. I am not a Rhodes scholar who's going to give you a brief all the time. You always get briefs, but at times you need some under-the-table opinion, as I call it, so you start thinking.

If you look currently at what is happening, presently there are all kinds of so-called training institutions all over the city jumping up with no control, no standards. I am no curriculum expert on education. I'm not an educator. Don't get me wrong; I'm an ordinary guy. Most community colleges' standards are very poor for skilled training. I have been telling some of them the few times I've attended that they're obsolete. They are obsolete.

To me, this should have been done since 50 years ago. Today, with the technology and the things that are available, we are like in the next 20 years beyond all of us. How these people are going to catch up, God knows. I don't know.

Interjection.

Mr Raghubir: Somebody just reminded me my 15 minutes are up, in case you want to question me here.

This is a very important thing. What I'm reminding you of here again is, don't take the approach because you're going to make it statutory law. Don't make the mistakes that have been done in this province, like when you start to pass law with landlord and tenant matters. You know, every three years you grind it, you know what I mean, and you come up with a lot of different kinds of things and nothing is consistent and persistent. But I'm saying now to you, take a good shot at it, make it wise, make it intelligent, make it feasible so that people can work with it.

It's a shame when I see a man of 50 years old who was making \$100,000. Maybe he's a graphic designer. You get old, you know, even with the technology. You know what I mean. But still, he was \$100,000 and he's still there. Why are

we allowing those things to go down the drain? We shouldn't be. The time has come. I don't know how much time you guys have got. You have a short time to run. It depends on what happens.

The Chair: I'm told we've got until around the spring or summer of 1995.

Mr Raghubir: What I'm saying here is that for a long time this province has talked about apprenticeship branch. A lot of studies have been done, just like a lot of studies were done on day care but still everybody's in the same position. You're talking about an expert in day care too, but I'm not here for that. But that's why, because of all these little—I have been around a few years, you know what I mean, and I say everything is the same. So this time you need to look at this concisely, precisely. I'm not allowed a long talk, and too many briefs, but get down to the job, simplify it and get on with the people.

I don't know how you're going to work the welfare system into all of this. Then your own system works beyond this. A lot of people may not want to go and learn skilled courses for a lot of reasons, because their rent may go up because they're in a subsidized building. They may lose their day care. You know what I mean. There are all these factors that you're going to have to take into consideration. Sometimes there are people who are on assistance. It may be \$40,000, as one journalist said. She may be right, she may be wrong, I don't know, but I think she was on the right track when that journalist or economist made that comment, because a formula like that makes sense. It does.

I'm going to close and give you a break. I know I'm jumping around, but I have come here with that approach today after I read the article in the *Globe and Mail*. Because since the early part of 1992, when this whole referendum discussion was going on, this subject was on the agenda. Every time there was a release by a Premier or Mr Clark, every time there was a conference, this subject matter came out. What I'm saying now is, you need it. There are a lot of people out there and, ladies and gentlemen, if we don't do it now, we are in for a long shock.

Thank you very much. If you have any questions for me, go ahead.

Mr Gary Wilson: First of all, I'd like you to elaborate on who "street people" are. Whom do you mean when you refer to street people?

1650

Mr Raghubir: Street knowledge is what I mean. People like myself are not professional economists or experts in money management or politicians, you understand. We are people who may have had different careers over a period of time where you acquire a certain amount of knowledge. The only way I can explain that and give you an area—I don't know, I'm sorry; you're free to explain it.

I was invited once to speak about housing and welfare recipients to deputy ministers in the last government—what happens, the transiency, who's losing money, you know. They're not making use of the money—lose something else. That's what I mean by street people, not anybody else. I'm just talking about street knowledge; you know what I mean.

That's what I meant. I'm sorry. Did I answer that the way you wanted?

Mr Gary Wilson: Yes. Do you find that they will have enough influence, say, or participation in the training systems we have now?

Mr Raghubir: I don't know. I've read a lot of reports. I got a lot of stuff here that I've seen over a period of time, from the different—I think what is happening, we have to go back to basics because if somebody can't do the basics you have a problem, the technology bit and science or whatever it may be. You know what I mean. All those are factors.

I think what you're saying is that people from outside who have been working in all this process—let me tell you something here. If you look very carefully, and you can even take Ontario Hydro as an example, there is so much equipment today that is energy-efficient, just to get you to this point. It all has to do with skills. There is so much equipment today, energy-efficient hot water tanks and things that are available, that you can save 50%. But for some unknown reason, if you're going to give \$500,000 to—it's not going to work. It's there; there's a simple formula to that. What I'm now getting at is that the people who are in these trades, this is the way they're accustomed—they don't want to do the high technology; you understand me? It's there. You don't need people to become experts. You don't need to spend a bundle to train—technology is there to guide the people. You see what I'm trying to drive at? I hope I'm answering your question.

The Chair: Mr Huget, briefly.

Mr Bob Huget (Sarnia): I appreciate your interest in what is a very major issue in the province and a major issue, I think, for the country. Part of our problem in Ontario as well as in Canada, in my opinion, is a lack of a well-thought-out industrial and economic strategy, and there has been a corresponding lack of a well-thought-out training and adjustment strategy. I couldn't agree with you more that we have no time to waste in terms of implementing a solid strategy around training and adjustment.

As you may or may not know, this is more a consumer-driven sort of training plan than a supplier-driven training plan. I'd like your comments on that as to the value of one over the other.

Mr Raghubir: What do you mean by "consumer"? You've got to be careful how you—

Mr Huget: User. In terms of the people who need the training, determining a role and determining that training rather than institutions that supply training dictating what will be trained.

Mr Raghubir: Sure. Throughout the period of time, our schooling process—you understand what I mean—has not been well thought out. Before I answer that question for you, and I'm not knocking anybody, if you look at the city of Toronto and Metro, all the industrial base has gone downhill. You know what I mean. A lot of the guys today who I assume are around in advising this government have been around the city a long time. I'm not knocking anybody. Don't get me wrong. I know most of them by their names or whatever. I encounter them. If a lot of those people are still going to advise us—I'm not in the political arena here. To get to your

point, it's a consumer-driven program; sure. But if the consumers themselves have some input and have some knowledge of where they want to go with it, what I am saying here today—it's very important and I'll get to the other side of it—the technology is there and I'm not talking about computers. Don't get me wrong. I'm talking about basic elements.

Let me give you one example to all of this. There's a hot water tank which sells for about \$2,000 and is very highly energy-efficient, 94%, gas-burning, things like that. All you need is to know the right man who can hook it up but there are not very many people in the whole of Metropolitan Toronto who can hook it up except one guy in Oshawa. For a hot water tank? Come on.

I'll go back to one simple thing. At your own home, you know when that cold water is coming through that line, it comes into your house, right? It comes in very cold. But if you have another tank so that you could retain water overnight in your house and then put it in your hot water tank, it would take less energy to make it hot. What I'm getting to you here again is there's all kinds of technology that is there. Sure, if there are too many self-interest groups—and if you want to call it client-driven, I assume that's what you meant—then what we'd need to have is people with credibility. We would need people with credibility, trust me. We need a lot of that. I hope that's one part of your question.

There's a second part of your question. One was the consumer group, and what was the other one, sir?

Mr Huget: Supplier-driven.

Mr Raghubir: I think a lot of supply is there. Let me give you why there's a lot of supply. If you look at an Ontario Building Code book, most guys still don't know what is the right nail to put inside and what's the right nail to put outside. That's why your house falls apart after a couple of years, because you've got to get the right nail.

Mrs Cunningham: Not one of those guys would know anything about that. Not one of them.

Mr Huget: I know more than I care to admit.

The Chair: Mr Sutherland, or did Mr Huget ask your question?

Mr Sutherland: My question is kind of picking up on Mr Huget's. You said you are an employment counsellor with unemployment insurance. How do you find the training programs now? Do they match the individual needs of the people you have to deal with, or do the programs seem to be designed from, again, as I think Mr Huget said, a supplier thing? In other words, "We're going to provide a systematic program and you have to fit into that program," rather than fitting it to the individual.

Mr Raghubir: That's a political question, as you know. I'm here as a personal representative. To answer, when your minister is meeting with my minister—no, I'm just kidding around. I have no hesitation to answer that question. If you look at how this whole thing is evolving from one level of government and different political processes, I don't think anybody gets a handout. You know, what Ontario's going through, the western provinces have gone through already. British Columbia has gone through the same thing. Alberta did too—a lot of the other provinces. It's a phase. The country is going through a phase.

I think who has jurisdiction or who does not have jurisdiction is not a question. I mean, who's going to give the money, you know what I mean? I think that's what I meant by that. But this city and this province have a vested interest. That vested interest is where we go from here. You know what I mean? I'm trying not to criticize those I work for or anything. I'm just trying to be on the level. I have no hesitation; maybe in private I'll criticize, but I have a personal opinion on all that. I think when I read through this paper, one of the important things—I hope people don't miss the boat. When you go through this process, you've got to forget all the self-interest groups that you talk about. I'm not here for that. It's got to be a universal concept that I am going to deal. I'm sorry; I'm not here to knock any one of the equity groups or anything. I'm not into that here.

I am not saying you are going to lose quality or gain quality. I think you have to get a standard that will serve a longer-term basis and get the job done. I hope I answered your question in a way. That's it?

The Chair: Yes, sir. Thank you, Mr Raghubir. The whole committee appreciates your taking the time to express your views on this matter. You've made a valuable contribution. It is important that this committee, and others, get the views and insights and the wisdom of people who have got real-life experience. We appreciate your opening some windows and doors for us in that regard.

Mr Raghubir: Thank you very much.

The Chair: Thank you kindly, sir. Please keep in touch. A transcript of your presentation is available to you by way of Hansard. You can obtain it by calling the clerk's office or writing to her or to your own MPP. It's free of charge.

We are recessed until 5:15. There will be a subcommittee meeting at 5. All members are invited and encouraged to participate in the subcommittee meeting. Thank you.

The committee recessed at 1700 and resumed at 1729.

ENERGY CONSERVATION SOCIETY OF ONTARIO

The Chair: We're going to resume. The next participant is here, the Energy Conservation Society of Ontario. Sir, if you'll please come forward, have a seat, tell us your name, your title, if any. Your written comments are being distributed and will be filed in the formal record by virtue of becoming an exhibit. Please, sir, have a seat. Please try to save at least the second 15 minutes of your presentation for questions and exchanges. Go ahead, sir.

Mr Glenn McKnight: Sure. My name is Glenn McKnight. I'm from the Energy Conservation Society of Ontario. As you said, there's some material being distributed. Basically, I'm only going to be referring to the first document, called, on the second page, "ECISO: Energy Retrofitting: A Job With a Future."

Basically, the reason I've approached this committee today is that I presented back in May with the conception that I wanted to emphasize that green industry is an industry that's going to be growing in the forthcoming years. We have formulated a strategy of training which is focused fundamentally on ECISOs. They are energy service companies. We propose that it's a growth industry in Canada and that we're looking at

potentially having 100,000 self-financing jobs, primarily in the energy, transportation and farming sectors.

The reason there's such substantial growth in this industry is that we in Canada, to be competitive on a global level, have to reduce our energy consumption, and current standards are that 25% of all energy consumed in Canada is presently being wasted on heating and cooling costs for our dwellings.

Money spent to curb this appetite produces enormous job creation potential. In the competitive world economy we're forced to reduce the cost of operating businesses by making our buildings much more energy efficient. To achieve this goal, we need trained people to carry out this task. The skills to equip the labour-intensive energy saving corporation must come from people-sensitive and technically accurate training. We must emphasize that we provide the worker with the skills to make cost-effective and appropriate decisions for this particular market sector.

The growth of the renovation sector of the construction industry and the increasingly stringent requirements under the Ontario Building Code will see more training, given the vast array of new products and techniques necessary for energy-efficient construction. In fact, the construction industry has grown at a substantial rate, exceeding the \$30-billion figure in 1990. The greatest growth has been in the energy conservation sector, with a 21% growth across Canada in 1989-90. I must also mention that the construction industry is three times the car industry in terms of production dollars.

The serious economic crisis, combined with increasing cocooning trends of the 1990s, has seen more home owners increasingly invest in their existing homes rather than relocating or purchasing new homes.

Another feature of the industry is the age of our housing stock. By the year 2000, of the total number of homes in existence, 90% will be existing older homes. The aging housing stock will continue to require upgrading and renovation, will continue to grow in real economic terms at the expense of new construction. As a matter of fact, most construction right now is in the non-new construction industry. As trends continue, 75% of every construction dollar will be spent on the renovation sector.

All these factors combine to have a direct impact on job opportunities, but a problem still remains: Who will train the workers?

Training: learning the energy performance way: Marketable training needs to reflect economic realities combined with more interest in providing an environmentally aware economic future. A job now should also mean a job tomorrow. Too often the highly paid "quick job" approach has resulted in wide swings in labour demand. Growth in the service sector for the residential construction industry demands more hands-on, labour-intensive employment, and increase in demands for this sector means more qualified training is required.

Renovation training courses are almost non-existent in traditional public educational sectors such as high school and community colleges. Furthermore, most installers who enter the renovation industry are unskilled, many of whom have not completed high school and will not likely upgrade their education.

A survey by Canada Mortgage and Housing Corp. CMHC, revealed that 80% of all renovation companies see training upgrading as crucial to business success. Since the existing school system doesn't meet these needs fully, ECSO, our organization, has produced a training program which I've submitted to you for review. Its goal is to increase the skilled labour pool for the renovation contractors to draw upon.

We designed a training program based on skills and knowledge required for the new renovation market for this new retrofit worker entering into the industry and we call it "energy retrofitter." The course exists in a modular format ranging from a single standalone course to a 26-week program, and the program takes an integrative learning approach. That's all I need to say on that.

Fundamentally, what I'm suggesting is that based on reports from the Ministry of Consumer and Commercial Affairs, the largest complaints are coming not from the car repair industry, but mostly from the renovation industry, and a large portion of the complaints is coming from people who are going into the renovation industry, because it's very easy to penetrate the market.

A very large proportion of the renovation industry is not unionized. It's a very large employer in the province and it exists out there as basically an untapped resource for training. At the present time, a large percentage of the work out there is being subbed out to largely unqualified people who fundamentally have not had any kind of training experience whatsoever, whether in business or actually in school backgrounds.

So what I'm suggesting to this committee is to look at the renovation construction industry as a whole and examine the fact that very little training is being done for that sector. Meanwhile, it's a very large employer. To a large degree, it's not a unionized sector as well, and for another reason, more and more people are going to be needing renovations to make their homes energy efficient as time goes by, as our heating costs increase with increasing hydro costs.

That's all I need to say.

The Chair: Thank you, sir. Ms Cunningham.

Mrs Cunningham: My question, I guess, is with regard to the training board and Bill 96 itself. Have you had a look at that particular piece of legislation to see how you, as a private trainer, would fit in or be helpful in the whole process of training?

Mr McKnight: No, I have not.

Mrs Cunningham: Are you aware of the local board needs from people like yourself to provide some consultation and services?

Mr McKnight: Yes. I presented back in May to the local board. I'm also on the local CITC for the Durham region. Again, if you want me to quote the legislation, I can't do that off the top of my head.

Mrs Cunningham: No. I guess what I would like you to do, though, is to take a look, from your point of view with the work that you do, at the legislation, and if you have some input that would be helpful to the committee, we would really appreciate any changes or recommendations that you may have within the bill itself.

Mr McKnight: I'm more than happy to do that. Again, I came today to basically throw almost like a stinky fish on the

floor. If it smells, somebody's going to pick it up; if somebody likes the smell, they'll leave it alone.

Ms Swarbrick: Terrible analogy.

Mr McKnight: I know. I'm famous for my terrible analogies.

The Chair: I just call my dog.

Mr McKnight: You call your dog, right.

The Chair: Mr Wilson, please.

Mr Gary Wilson: I have more of a comment, I guess. First of all, you're Glenn McKnight, I guess, right?

Mr McKnight: Yes.

Mr Gary Wilson: I've got a picture of you here. When was this article done in the Star?

Mr McKnight: That was done on Thanksgiving at city hall. We promoted for the city of Toronto to promote a \$3-billion program called "energy retrofit program," which the city council has passed, which is the supplementary article to that; the following day we presented to city council.

The gist of that newspaper picture was ourselves in association with other environmental movement groups to promote—rather than spending money on retrofitting Bruce A, we think it's a lot better to put money across the province in retrofitting with a focus on energy conservation instead.

Mr Gary Wilson: I don't really consider that a stinky fish as a subject. It's actually a fascinating one, I think one that we are all attentive to, the need for training in those areas that are, I guess, by force of circumstance brought to our attention. Energy conservation is a major issue now.

Mr McKnight: I say it's a stinky fish because I'm on the provincial advisory committee for Skills Development for the carpentry program in the province, and energy conservation, much like most of the code, is not an energy performance code. It's basically a structural code. We do have R values for building materials, but it's not a performance code. We can't go back like a car and say, "What's the energy performance of that house?" like they do in California, which is called a HER rating system. A house has a label and you'll know what the energy performance of that house is.

What I'm suggesting is that we should be starting to train people so that they actually take pride in their work, and that when they build a building, they fundamentally keep in mind the air barriers, the vapour barriers, the insulative qualities of the building, so that home will sustain itself.

Mr Gary Wilson: I think we'd all agree around this table that that's something we have to reach and those kinds of programs that would train people to that are essential.

Mr McKnight: I would say that there are no training programs being taught in the college or high school program in the province of Ontario right now.

Mr Gary Wilson: By the structural vocabulary, expecting that these kinds of needs will come then to our attention, because they're going to be forced to the forefront by the people who will benefit from them.

Mr McKnight: There are 450,000 electrically heated homes in the province of Ontario. If they don't fuel-switch, they have to increase the thermal value of their building envelope. They have one of two choices—or freeze.

1740

Mr Offer: Thank you for your presentation. I'm trying to find out where you think you fit in the bill before the committee and what we should be considering with respect to your presentation, with respect to potentially making that fit.

Mr McKnight: If I'd had an opportunity to look over the bill before I came—I had a very short notice. I got a call at noon saying, "Somebody cancelled. Can you please come in." I wish I'd had an opportunity to look at it. I would like to give you some feedback further. I think you deserve it.

But the way I perceive what I'm doing or what we're trying to achieve is that we are trying to say that with most of the people doing renovation work out there, right now it's to a large degree an undisciplined rabble fundamentally doing a lot of the work on people's homes and they're learning on your house and other people's houses; hopefully, not mine. What I'm suggesting is that to a large degree, if we're going to go towards more energy performance of houses, we should train people properly, and in order to do that, it really does not take a lot of time to do it.

Mr Offer: Are you saying that here's an example where there is work out there, but in your opinion there are not as many well-trained people to do that work?

Mr McKnight: For example, Ontario Hydro has an incentive program for installing windows. Lots of people know how to install a window very nicely; it can open and shut. Sometimes, to a large degree, the thermal performance of that window will go down with poor installation afterwards because there is no understanding of the thermal performance of the window within the house as a system, and there is no formal education, even a one- or two-day seminar like people get when they take an R-2000 course when they build a house. That's what's wonderful about the R-2000 program, because people not only have to take the course to be certified, but they also have to do their updates yearly.

I'm saying that anyone who's doing renovation work in the province of Ontario, and this is a very large employer, which basically the people are learning on the job, should have some kind of formal training.

Mr Offer: If there were local training advisory boards, as there are intended to be, individuals such as yourself should be on a board of that nature in order to bring forward the experience which you've just shared with this committee.

Mr McKnight: That's pretty good. That's right. You should be my speechwriter.

The Chair: Mr McKnight, on behalf of all the committee, I want to thank you for taking the time and especially for coming here on late notice. We had a cancellation today and the clerk properly canvassed those people who were still waiting for a scheduled slot to see who was available. You accommodated the committee by indicating that you would be here on such short notice. We're grateful to you. You've provided yet another unique and interesting insight into this whole issue and we're grateful to you for sharing your experience and your views with us. We trust you'll keep in touch.

Mr McKnight: Great. Thank you very much.

The Chair: Take care, sir.

Mr Offer raised some matters with ministry staff. Ministry staff are here prepared to respond. Please come forward, have a seat and tell us who you are and your position, please.

Mr Peter Landry: My name is Peter Landry. I'm the director of organizational design and labour relations with the OTAB project.

The question was around section 21 and the meaning of fees, I believe. The section is actually fairly simple in that some programs that may transfer to OTAB could have a fee component. For example, currently the apprenticeship program at the Ministry of Skills Development collects fees for the writing of examinations, renewal of certificates and so on. It was those kinds of fees that we had in mind when drafting this legislation. Our feeling was that there may be in the future other programs that would have a fee component and we wanted OTAB to have that ability. This is not a tax in that sense; it's more a user fee, the same as the apprenticeship fees are.

The other thing is that it would only be able to raise fees by regulations. In other words, even a modest fee, like the apprenticeship program would have, would not be chargeable without going through regulations and having government input on that.

Section 22, which follows: Because OTAB is a scheduled agency, it will have to have bank accounts for its money, and it just simply gives the Treasurer the power to pull back into the consolidated revenue fund any surplus that might be in that, either through fees or, quite frankly, through money that's transferred for programs that's not spent, if there is a surplus in any given year.

Section 23, I think, is a fairly standard clause. I'm not a lawyer, but it just states the terms under which OTAB can invest its money. Basically, it's in fairly safe investments as opposed to speculative or less safe investments. It sets out what those qualifications are. Again, an example of that would be that if OTAB's money were flowed to it on a quarterly basis in lump sums, rather than having it in an account that didn't earn interest or a return, it seemed reasonable that the money should earn some interest in return, but of course it would have to be a safe investment.

In a nutshell, those are the explanations for those three sections.

Mr Offer: Thank you for that explanation. Are you then saying that it is the intent of section 21 that those fees are limited to what may be referred to as "administrative"?

Mr Landry: Yes. We didn't scope out all the possibilities around fees, but usually there are administrative fees. Again, in comparison to apprenticeship, for example, if you renew your certificate of qualification, you have to pay a fee every three years. I think it's \$35 or \$40 or something like that. We were not thinking here of something larger in terms of a tax. Certainly, any tax would not be within the power of OTAB to introduce on its own. It would certainly be within the purview of the government.

The Chair: Any other members? Mr Landry, thank you kindly. We appreciate your prompt response to Mr Offer's query.

We are recessed and adjourned until 10:30 am. Thank you, people. I appreciate it.

The committee adjourned at 1747.

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Also taking part / Autres participants et participantes:

Landry, Peter, director, organizational design and labour relations, OTAB project, Ministry of Skills Development

Clerk / Greffière: Manikel, Tannis

Clerk pro tem / Greffier par intérim: Carrozza, Franco

Staff / Personnel: Anderson, Anne, research officer, Legislative Research Service

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Waters, Daniel (Muskoka-Georgian Bay ND)

***Wood, Len** (Cochrane North/-Nord ND)

***In attendance / présents**

Substitutions present / Membres remplaçants présents:

Cunningham, Dianne (London North/-Nord PC) for Mr Turnbull

Martin, Tony (Sault Ste Marie ND) for Mr Waters

Ramsay, David (Timiskaming L) for Mr Conway

Sutherland, Kimble (Oxford ND) for Mr Dadamo

Swarbrick, Anne (Scarborough West/-Ouest ND) for Ms Murdock

Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND) for Mr Klopp

Witmer, Elizabeth (Waterloo North/-Nord PC) for Mr Jordan

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Second Intercession, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 20 January 1993

Standing committee on resources development

Ontario Training and Adjustment
Board Act, 1993

Assemblée législative de l'Ontario

Deuxième intersession, 35^e législature

Journal des débats (Hansard)

Mercredi 20 janvier 1993

Comité permanent du développement des ressources

Loi de 1993 sur le Conseil
ontarien de formation et
d'adaptation de la main-d'oeuvre

Chair: Peter Kormos
Clerk: Tannis Manikel

Président : Peter Kormos
Greffière : Tannis Manikel



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Wednesday 20 January 1993

The committee met at 1032 in committee room 1.

ONTARIO TRAINING AND ADJUSTMENT BOARD ACT, 1993

LOI DE 1993 SUR LE CONSEIL ONTARIEN DE FORMATION ET D'ADAPTATION DE LA MAIN-D'OEUVRE

Consideration of Bill 96, An Act to establish the Ontario Training and Adjustment Board / Loi créant le Conseil ontarien de formation et d'adaptation de la main-d'oeuvre.

TORONTO SCHOOL OF BUSINESS

The Chair (Mr Peter Kormos): We're ready to begin. The first participant this morning is the Toronto School of Business. If you'd please come forward, have a seat, tell us who you are, your title or position, if you wish. You've got 30 minutes. Please try to save the second 15 minutes at least for exchanges, questions, dialogue. I want to remind people that there is coffee and other beverages there at the side for them to avail themselves of. Please go ahead, sir.

Mr Allan Ebedes: Good morning, Mr Chairman, members of the standing committee on resources development, ladies and gentlemen. My name is Allan Ebedes. To paraphrase a TV commercial, I'm not only the president and founder of the Toronto School of Business but also a student. I'm very pleased to be addressing you this morning on Bill 96, An Act to establish the Ontario Training and Adjustment Board.

This legislation is of critical importance not only to education, training and adjustment in the province but, more important, to the economic wellbeing of all the people of Ontario and indeed of Canada.

My oral presentation to you this morning will deal only with the first two items in my written brief, namely, the background of the Toronto School of Business and our recommendations concerning Bill 96. I'll turn now to the first item, a bit of background about the Toronto School of Business.

The mission of the Toronto School of Business is to provide practical, intensive job-skill training for the career success of men and women who desire to learn new skills or upgrade existing skills with the objective of entering or re-entering the work force as quickly as possible. Opportunity cost, that is, forgone earnings, is the most costly aspect of a student's training.

The Toronto School of Business, proud of its reputation for the career success of its graduates, has grown from its small beginnings to the largest private career training school in Ontario and in Canada. There are currently 20 campuses in Ontario, with a total of 31 campuses coast to coast across Canada, and the school is still growing. The school has recently expanded into Mexico to provide the skills training that will be needed as a result of the North American free trade agreement, NAFTA. Outside of Ontario the school carries on business under the name of CompuCollege School of Business.

Since its inception in 1976, the school has trained over 100,000 men and women for new and meaningful careers. In Ontario alone, the Toronto School of Business currently trains more than 10,000 students each year. The majority of our student body is made up of women and includes a significant number of sole-support parents, visible minorities, new immigrants, mature students and men and women who need retraining as a result of being laid off because of the recession.

The school has a faculty and staff of over 500 and has more than \$6 million invested in computer and other equipment for student use in facilities that occupy over 250,000 square feet.

The Toronto School of Business has a comprehensive curriculum offering training for careers in business, computers, electronics, secretarial sciences, hospitality, travel and tourism, fashion merchandising, banking, customer service and health care. The curriculum is constantly being updated to take into account the needs of employers and employees in a rapidly changing labour market that is affected by new technology, global competition and fluctuations in the economy's business cycle.

An important and integral part of every student's program is a mandatory two-week pre-employment readiness module, or PERM for short, which is designed to assist graduates in making the transition from school to work and to help them help themselves, find a job and develop a career. This module includes training in résumé preparation, videotape practice interviews, effective interview techniques, tapping the hidden job market for jobs that are not advertised, job search techniques such as networking, dressing and grooming for success, handling stress and rejection, and building and maintaining self-confidence and self-esteem in a job market devastated by the recession.

The Toronto School of Business has developed a unique methodology of course design and delivery called a modular curriculum. This modular curriculum allows students to start their programs on a monthly basis throughout the year, whenever it is most convenient to the students, as opposed to a semester basis at most traditional academic institutions. Furthermore, a modular curriculum can be updated or revised quickly to meet the changing demands of business and the labour market.

The school's diploma programs can be completed in six months to one year of either full-time or part-time study. Our course schedules are designed to allow students to work part-time and to enter or re-enter the workforce on a full-time basis as quickly as possible.

The school is an active member of the Ontario Association of Career Colleges and is registered with the Ontario Ministry of Colleges and Universities, private vocational schools branch, under the Private Vocational Schools Act.

The Toronto School of Business has experience working successfully with various levels of government and government agencies, including Employment and Immigration Canada, the Ontario Ministry of Labour Transitions program, the Ontario Ministry of Colleges and Universities and the Workers' Compensation Board, to provide skills training to our mutual clients.

I turn now to the main recommendations that we have concerning OTAB, Bill 96, An Act to establish the Ontario Training and Adjustment Board.

If OTAB is to realistically achieve the 18 objectives specified in the bill, then the following recommendations are respectfully submitted.

Recommendation 1: All education and training resources must be fully utilized.

Objective 13 states:

"To seek to ensure that labour force development programs and services are of a high quality and achieve the best results and the best returns on investment through the use of a variety of methods that are fully and effectively evaluated in all respects, including cost-effectiveness."

Objective 15 states:

"To make effective use of Ontario's diverse educational and training resources."

In order to achieve these and other objectives, it is essential for OTAB to recognize and to utilize the enormous resources already available through private vocational schools and other private trainers. Private trainers do not generally receive any government subsidies and therefore have to be cost-efficient, effective and responsive to the changing needs of the labour market, both employers and employees. The career college option may not be for everyone, but making sure that everyone has an option is critical to meeting Ontario's training needs. OTAB must ensure that students have fair and equal access to the training option which best meets their needs.

To be effective, OTAB must fully utilize every educational resource available in the province. Universities and colleges, apprenticeship and other workplace programs, private vocation schools and private trainers all have an important role to play in ensuring that Ontario workers have the skills required to perform the jobs of the future.

1040

Recommendation 2: Local training and adjustment boards, LTABs for short, must have strong decision-making power.

Ontario training and education institutions must be as dynamic as the marketplace graduating students and retrained workers will be entering. Local labour market partners know best what skills will be in demand tomorrow in their local communities. These decisions should not be left to one central board. We believe that local training and adjustment boards must have strong powers to decide where and how training and education investments are to be made in their own communities.

Subsection 18(1) of the bill states, "OTAB may designate local training and adjustment boards that have been established in accordance with the regulations made under this act." Subsection 18(2) states, "Designated local training and adjustment boards have the powers and duties that are delegated to them by OTAB and that are assigned by the

regulations." Subsection 18(4) states, "OTAB may provide funding to designated local training and adjustment boards, in accordance with the regulations."

We strongly suggest that the resources development committee ensure that these vital issues be dealt with in a more definite manner in the act and not left entirely to the regulations. We feel that communication and information should flow from LTABs up to OTAB, with the LTABs being the focal point of training and adjustment activities.

Recommendation 3, reference committees:

Section 20 states, "Reference committees may be established in accordance with the regulations made under this act." It is suggested that the act should definitively provide for the establishment of permanent reference groups for each labour market partner to ensure a broader base for input from grass-roots constituencies and communities across the province. The act should further stipulate that directors are to be accountable to their respective reference groups.

Recommendation 4, directors:

Section 9 provides for 22 directors to be appointed by the Lieutenant Governor in Council. It is respectfully submitted:

(a) inasmuch as the minister has stated that OTAB will be the centrepiece of future labour market policy; and

(b) inasmuch as all the labour market partners are in unanimous agreement as to the importance of training to the future growth and prosperity of the province and the nation; and

(c) inasmuch as many of the consultative communities, for example, business, labour, training and education, represent many varied groups that have not worked together prior to OTAB, let alone reached a consensus on the issues, for example, educators and trainers had never met together previously; and

(d) inasmuch as the concerns and training needs within a particular group may vary, for example, small business versus large corporations, organized labour versus unorganized labour, publicly funded trainers versus private trainers; and

(e) inasmuch as the bill deals with training and education resources and needs of the province, yet provides for only two board members, equal to only 10% of the board, to represent many different types of institutions and to give advice and input on a broad spectrum of training and education issues; and

(f) inasmuch as the board will be responsible for an annual budget of \$500 million;

therefore the number of directors should be increased to better represent gender equality, different racial minorities, local communities, equity groups, large and small business, public and private trainers, organized and unorganized labour.

As a suggestion, the number of directors could be expanded to 30 directors as laid out in the table below. Directors representing business would increase from eight to ten directors; directors representing labour from eight to ten; directors representing educators and trainers from two to five, with a director from each sector of the training and education community, namely, universities, colleges, boards of education, community-based trainers and private vocational schools and private trainers; and five directors representing equity groups, as proposed in the bill.

The total number of directors would therefore increase from 22 or 23, with aboriginal representatives, to a total of 30. An expanded board of 30 directors should not be any

more unwieldy than the one already contemplated with 22 directors, but should be able to better represent the many labour market partners who deserve a voice on OTAB.

That the local board consultations received 925 presentations and over 900 written briefs, and the fact that there are 140 people who have registered to address this resources development committee, is indicative of the fact that many different interest groups are concerned that they will not be adequately represented on OTAB, notwithstanding that all directors are required to "serve in the public good."

The Toronto School of Business welcomes the introduction of this legislation to create OTAB and feels that the above issues should be considered in order to make OTAB not only a made-in-Ontario model, but indeed a showpiece for the whole of Canada and the rest of the world.

Thank you for your time and attention and good luck with your important mandate.

The Chair: Thank you, sir. Five minutes per caucus.

Mr Steven Offer (Mississauga North): Thank you for your presentation, Mr Ebedes. I know that in my area of Mississauga we have a very important facility, the Toronto School of Business, and in fact it is now, or last week was, involved in a careers opportunity with a number of other groups, really sending out a very positive message.

I was listening very closely to what you were saying, because I know you come with a long history of expertise in this area. I must say I think the point you make dealing with the area of regulation is one I agree with and one that in this third day of hearings we have heard over and over again.

I would like to ask you, in this area, on the concern you have with regulation, in the event that it is not changed, do you have concerns with the legislation? I have a concern that as we finish these hearings, at the end of the day, if there are amendments put forward dealing with regulations, which are the result of hearing from individuals such as yourself, and the government doesn't accept them, we will end up with a piece of legislation very much like what we are looking at today. What would then be your concern with the legislation, if this were in fact its final form?

Mr Ebedes: Mr Offer, I realize the act cannot contemplate every possible experience and take everything into account and a lot of things have to be left to the regulations. However, we and the association of which our school is a member feel that certain issues are critical, such as the local representation, the various reference groups. So while I'm not suggesting that everything should come in the act and that there should not be regulations, we feel that some of the points I've tried to highlight that really focus on one or two of the critical issues should be specified in the act.

We were involved with the local hearings that went around the province. I made a presentation to one of them in Toronto in May of last year. I think everybody was of the opinion that the training and adjustment decisions are more effectively left to the local communities.

As I mentioned in my brief, we have 20 campuses across Ontario and I can tell you that every campus and every constituency has its own concerns and problems, and different types of students with different concerns. Different companies in Oshawa now—for example, General Motors has laid off an

enormous number of people. I think we'd like to see in the act a specific provision made for the local powers.

Mr Offer: Mr Chair, I have one short question. I know my colleague Mr McGuinty has a question afterwards.

The Chair: It's up to you and him.

Mr Offer: Okay, two more minutes. Is it your feeling that, for instance, a program such as the Transitions program, under this framework, would be, could be or should be administered at the local level?

Mr Ebedes: The Transitions program, I think, has worked very effectively, other than lately with the extensive delays in processing students. But prior to the backlog, it has worked very effectively. I know we've trained a lot of students who are over 45 years of age and have been out of school for more than six months. Whether it should be put under OTAB and be directed by the committee, I'm not sure. Maybe the policy decisions should be regulated by OTAB, but I think our concern is, can all the decisions be made by one central board and are things going to fall by the wayside?

Transitions specifically deals with men and women who have been laid off and who are over 45 years of age. Believe me, when you see mature people—we have students who are over 60 years of age—coming back for retraining, it's a very difficult, traumatic time in their lives and I think they do need special attention. So I think a program like that should be kept self-contained. Whether it falls under the overall policy of OTAB, I don't think that would be a problem.

1050

Mrs Dianne Cunningham (London North): I'm sorry I wasn't here to listen. I've tried to go through this, and I'm aware of your organization and what you do in the province.

Following up on the questions of my colleagues, you're specifically asking that the local boards be designated. Perhaps the "may" should change to "shall" and the boards be designated with their role and their responsibilities in the act itself.

Mr Ebedes: That's correct. We feel there should be specific provisions for the local boards. There have been these parallel hearings, but the act as it stands now doesn't provide definitively for the local boards. There are a lot of "mays" versus "shalls," as you've said.

Mrs Cunningham: Are you now saying that you would go a step further? I know this is also the concern of the local training boards as they exist right now, the CITCs, the community boards that many of us are aware of. In many communities they are doing a terrific job and in some they may not be, but they themselves are asking if the administration of that local board would have the responsibility to hire staff, the responsibility for the day-to-day operation, the reporting structure—these kinds of authorities. Would you agree that they should have?

Mr Ebedes: Absolutely. We've worked with several CITCs and we've been on various subcommittees of CITCs. We have found them to be very effective, some more so than others, as you've said. We think they really need to have their own budgets, their own decision-making power and their own staffing. We've found that with the existing CITC structure, with representatives from business, labour and government on the local CITCs, they really do have their finger on the pulse in the communities. I would feel that the local structure

should emulate that; maybe not 57 CITCs, but if there are 22 local boards, if that's the magic number, they should at least emulate that structure.

Mrs Cunningham: The brokers of training in the local boards have been considered, I think, fairly neutral, but I may be incorrect on that and I'd like your opinion on it. Do you feel that if we don't have that kind of authority for local boards, OTAB would in its present format be able to be a neutral broker or have neutral brokers, given the present representation? So your views on how it's working now and how it may work if we don't change it.

Mr Ebedes: I can't say one way or the other. I have no reason to feel that the brokers are not neutral. I have nothing to the contrary. I know some concern was expressed by some of our colleagues in other schools, when some of the community colleges were appointed as brokers, on how that would affect the impartiality. However, as I say, we've worked very well with community colleges. We've done joint programs with them. We've had no problem, and we think it has to be looked at as a total resource.

I think the key thing is that brokers definitely have to have the best interests of the community in mind and not have any one particular sector of training or business or labour in mind, but have to look at the general public good. I don't know if that's the answer to the second part of your question.

Mrs Cunningham: Well, the second part is—my time is probably up. You obviously have concern about the makeup of the OTAB board, and you've given us a very specific recommendation on how that can change. You may want to look at the Hansard of Monday, January 18, where the minister said he would look at some profound arguments for change. You may even want to be more profound and get some support for the position you've taken, because to me it looks like a very responsible one.

Mr Ebedes: Just to respond to that, I don't know if the number of 22 is a magic number. Obviously, there was equal representation between labour and business. I think everybody in the training and education community would agree that two representatives are not sufficient. I think the whole spectrum—universities, colleges, private trainers—all feel frustrated: How can two people adequately represent such a diverse population?

We are suggesting that rather than try to have several people represent so many different hats—different communities, different ethnic groups and backgrounds—why not increase their representation and make it a bit more balanced? That's why we've come up with a very specific recommendation.

Mrs Cunningham: I appreciate it. Thank you.

Mr Gary Wilson (Kingston and The Islands): Thank you, Mr Ebedes, for such a thorough and, I would say, thoughtful presentation. It certainly reflects your experience here and in fact to some extent contradicts your assertion that representatives of the various training and educational sectors can't represent the whole sector. You certainly provide a very well-presented overview of what is at stake here.

For instance, in the opening part of your brief, you mention the agencies and ministries of the government that you've worked with successfully in the past. Even though you say you haven't worked with other members in the

training and educational sector directly, this suggests that would be a feasible possibility in the future.

I want to say too, about the local boards, that they're only mentioned in passing in the legislation because these boards have to be set up in consultation with the federal government and the Canadian Labour Force Development Board, because it will involve them at the community level.

A representative we had yesterday from the private training sector also appreciated the strength of the local boards, but saw the necessity of having a provincial body to connect with for direction and also for support in carrying out various programs that you couldn't do at the local level itself. There has to be a strong relation between the local board and the provincial government board, in his view at least.

Also, you mentioned the dynamic nature which you think the training field should reflect and the dynamic nature the economy has to reflect. I thought of that too when you mentioned the people over 45 and the adjustment they have to make. I think we see training as a dynamic institution as well, and the attitudes have to change to reflect the changes that are occurring in the economy. Having this kind of representational board as well as tapping into the community experience will lead to that.

Those are some of my comments on yours, and perhaps you'd like to respond.

Mr Ebedes: I'll respond to the first point about working with other agencies of government. We have worked very successfully with other agencies of government. We certainly reaffirm that government has a major role to play in setting up OTAB and we agree with the concept of OTAB. However, I think our relationship has always been with various local offices of government, with local Canada employment centre offices and job entry or re-entry contracts right across the country.

Certain of our campuses have been able to work with local CEC offices to design programs specifically required for their community. For example, we have a campus in St John's, Newfoundland. There, the offshore oil research is a specific concern and we've developed programs that are unique to the training for Hibernia and everything else that's coming up. Similarly, different parts of the country have very specific concerns.

I don't think there's a contradiction there. I think what we're suggesting is that OTAB be the command and control centre, if you like. On the day of the inaugural celebrations, maybe I should use the Pentagon as an analogy, but the actual decisions, the actual input and implementing of the plan should take place at the local level. If it's all left up to the central OTAB, we're concerned whether all these policies are actually going to be flowing down to the local communities they're designed to serve.

Mr Gary Wilson: What about how you would see the private trainers interacting with the other trainers or educators on the board itself? Have you given that any thought?

Mr Ebedes: Yes. We have very strong feelings that the various educators and trainers can work together very well. We have in the past. I've met personally with various presidents of community colleges—Mr John Rankin, president of George Brown College—and we have very different niches or target markets. Some of the educational players have more

longer-term focuses. Private trainers generally have a more short-term, immediate training focus.

There are many areas of training which we can't possibly handle and we recommend the students go to universities or community colleges. They have more expertise and resources to carry out the training. On the other hand, there are areas that private trainers have more flexibility in and can adapt more quickly to provide specific skills that employees need, either to round out their background or to apply for specific jobs. We think they can work together very well, but they need to be more fully represented on OTAB. I don't know any educator or trainer who feels that two representatives on OTAB are sufficient.

Mr Gary Wilson: Although I'm pleased to see—

The Chair: Thank you, Mr Wilson. We appreciate your questions very much.

Thank you, sir, for appearing here today on behalf of the Toronto School of Business. Certainly, in your own right, you've provided once again, as have others, a unique and valuable insight into this legislation. We appreciate very much your contribution. It's been an important part of the process. We trust you'll keep in touch.

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MULTICULTURAL ASSOCIATION OF
NORTHWESTERN ONTARIO,
REGIONAL MULTICULTURAL
YOUTH COUNCIL

The Chair: The next participant is the Multicultural Association of Northwestern Ontario, Regional Multicultural Youth Council. Sir, please come forward, have a seat and tell us who you are, your status, title or position with the organization or association. We've got 30 minutes. Please try to save the second half of that 30 minutes for questions and exchanges. We've got your written submission, which will be made a part of the record by virtue of being filed as an exhibit. Go ahead, sir.

Mr Aaron Goldstein: My name is Aaron Goldstein and I am here today before you on behalf of the Multicultural Association of Northwestern Ontario and its youth wing, the Regional Multicultural Youth Council in Thunder Bay, Ontario. Both organizations are better known as MANWO and RMYC, respectively. I serve as the RMYC's press officer, and I've provided some information about the background of our organization for you.

Before I begin, I would like to thank this committee for giving our organization an opportunity to voice our concerns about Bill 96. It is bodies such as this that give people from all walks of life a chance to partake in the legislative process. The accessibility of these resources and the ability and willingness to take advantage of them are what makes participatory democracy work.

Let me begin my remarks by stating that our organization supports in principle this government's initiative in establishing the Ontario Training and Adjustment Board. We agree that establishing such an agency is crucial for Ontario's industrial strategy as we approach the 21st century. With a changing global economy comes a changing labour force in terms of both societal diversity and required on-the-job skills.

Given these realities, it is the role and responsibility of government to facilitate cooperation among this vast societal diversity. This act comes very close in acting as a model for other jurisdictions in Canada and the world abroad to follow in terms of industrial strategy.

Among the communities represented on this 22-member board are representatives from both the business and labour communities. In fact, 16 of the 22 directors, including the two co-chairs, will come from these aforementioned sectors. The relationship between the two throughout the history of this country can be at best described as adversarial. Giving these two communities equal representation and responsibility is an important step towards establishing and promoting cooperation.

That alone would be a remarkable achievement, but it does not stop there. We see that two directors will represent educators and trainers. What training and adjustment board would be complete without the input of the people who spend their days coordinating programs that improve the skills and abilities of our provincial workforce? But it does not end there either. An additional four directors will represent the needs of women, racial minorities, francophone communities and persons with disabilities. If that were not enough, we also notice a provision extending an invitation to aboriginal people, if they so wish, to be included in an already diverse and broad-based group of individuals who represent the face of Ontario.

None the less, you will remember I stated that this act comes very close in acting as a model for other jurisdictions to follow in terms of industrial strategy. What, you may ask, is missing from the composition of an already broad-based and diverse body of Ontario's populace? Let me answer that question with one of my own. Who on this board speaks specifically on behalf of the young people in this province?

For purposes of clarification, I define young people as between the ages of 13 and 25, the segment of our population that is either approaching or attending secondary or post-secondary institutions or is perhaps among the 30%-plus of the teen-aged population that has dropped out of secondary school, facing an uncertain future in increasingly tough economic times. Granted, the mandate of this board is to service the needs of Ontario's future workforce. However, without a voice to speak on our own behalf, our concerns can unintentionally be lost in the shuffle.

In short, I recommend that this committee move to bring forth a friendly amendment to subsection 9(2) of this act to include "One director representing youth." Such an amendment would also affect sections 18 through 20 of this act regarding local training and adjustment boards, councils and reference committees. This would ensure that young people gain experience in decision-making at a local grass-roots level.

This is not the first time our organization has advocated for youth representation on this board. Moffatt Makuto, regional consultant of MANWO, who served on the 18-member Ontario Anti-Racism Advisory Working Group, appointed by the honourable Minister of Citizenship, Elaine Ziemba, made the original recommendations to Stephen Lewis and Zanana Akande back in May 1992. He commented:

"The youth should be represented on the OTAB to ensure input from their perspective. Given the current 30% dropout rate yearly, which, if unchecked, will result in over one million

youths with less than high school education by the end of the decade, it is important to get the perspective of the 'stakeholders' in developing programs that will affect them."

In my own report of July 1992 entitled *Comments on the Employment Equity and Lewis Reports and Recommendations for a Multicultural Youth Centre* I went a step further and recommended the presence of youth representation on all provincial government boards and tribunals.

It is our belief that an amendment to subsection 9(2) would neither violate the letter nor the spirit of this act. I draw your attention to the use of the phrase "potential workers." This phrase occurs several times in the text of the act. Clause 1(b) of the act reads as follows:

"1. The purposes of this act are....

"(b) to give Ontario's employers, workers and potential workers access to publicly funded labour force development programs and services that will, in the context of the competitive Canadian and global economies and in the context of a fair and just society, lead to the enhancement of skill levels, productivity, quality, innovation and timeliness and the improvement of the lives of workers and potential workers."

Paragraphs 4(1)5 and 12 read as follows:

"OTAB has the following objects....

"5. To seek to ensure that publicly funded labour force development programs and services, in the context of the competitive Canadian and global economies and in the context of a fair and just society, lead to the enhancement of skill levels, productivity, quality, innovation and timeliness and the improvement of the lives of workers and potential workers.

"12. To seek to ensure that labour force development programs and services are designed, delivered and evaluated in light of the needs and priorities of all Ontario's employers, workers and potential workers."

The young people in secondary and post-secondary institutions, as well as those outside the system, comprise the pool of potential workers in the 1990s and into the 21st century. This board reflects the concerns of Ontario's employers and workers but falls short when it comes to potential workers. This committee and this Legislature as a whole have an opportunity to pull the levers of change. If young people have a stake in the future of job training and adjustment in Ontario, doesn't it make sense for these same people to have a say in determining their own futures?

Thank you for your time, and I welcome any and all questions that the members of this committee may have.

The Chair: Mr Turnbull, please.

Mr David Turnbull (York Mills): Can you tell me what exactly you believe the youth representative would do on this board?

Mr Goldstein: The youth representative, in my opinion, would speak for a very diverse group of people across the province. I mean, it would speak for people who are in post-secondary education, in the high schools, in specific communities, the aboriginal community, farming communities, perhaps with the 4-H clubs. But, specifically speaking, I think it would just give young people a voice on this committee.

Like I said during my presentation, the objects of the Ontario Training and Adjustment Board are ultimately to

serve the potential workers who are going to be in this province's workforce in the 1990s and the century beyond, and that workforce is going to include people who are in my age group—I happen to be 20 myself—and I just think that this has to take root at the earliest possible age.

I think it has to be drilled into young people's heads that they have a role to play, that their voice counts just as much as, you know, the representative from the Toronto School of Business, whether you are with the United Food and Commercial Workers union, whether you're a teacher, whether you're with one of the employment equity groups. My saying is essentially, equity must take root at the earliest possible age.

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Mr Turnbull: Yes. You mentioned aboriginal groups, but as you can see, there is already allocation for a place for aboriginal groups there.

Mr Goldstein: I realize that, but with respect to all the employment equity groups. There are young people within those groups who are suffering somewhat as badly as others. I understand the provision has been extended to aboriginal groups if they wish, but there are of course youth groups among all the employment equity groups.

Mr Turnbull: I've always been a fan of including youth in any decision-making process, particularly as it affects them, but how would you propose that you would identify a suitable candidate? It's somewhat clear; under the proposal I believe seven of the eight labour representatives would be appointed by the Ontario Federation of Labour and in business groups it would be fairly easy to identify large groups to get people from, representatives from, and the other groups are fairly clear, but how would you identify appropriate youth representatives for something which is essentially an education program?

Mr Goldstein: I very much anticipated a question along these lines as I was coming here and in the weeks preparing this document. I realize that the group I'm talking about is a very broad base and isn't really served under one organizational umbrella, but also realize this: We know very well that OTAB is not going to be in its full drive until the middle of 1994. That's just when it's getting off the ground.

The way I see it, one should prepare a consultative process—and our organization would be very happy to participate in any way we can—to organize the various student unions, the various student councils in the high schools, my own multicultural youth groups, the aboriginal youth groups, the 4-H clubs, the Boys and Girls clubs, just to tell them what our ideas are, what we propose, and if not form an umbrella organization, at least form some sort of consensus, you know, an overall consensus for the interests of youth in this province. I realize that there's no one umbrella organization like with the Ontario Federation of Labour, but there is time, in my opinion, to mobilize these forces. Those forces do exist out there. They're not that hard to find. The forces do exist out there. It's just a matter of mobilization, more or less.

Mr Turnbull: Your suggestion of bringing together these groups to provide a consensus as to who should be representing them: Who would pay for this process? As you will understand, there is very little government money available today, so

I just ask you how—would you consider that to be self-funding by those student groups?

Mr Goldstein: One could enter a partnership. I realize that all governments are strapped for cash at this moment and I realize that revenues are a big consideration, maybe in the short term, that is, but in the long term, if providing a voice for young people leads to quality job training and a positive sense among young people that their voices are important, that their voices count, that their voices matter, I think any cost we incur now within the next couple of years will pay for itself over the next 10 to 20 years. Again, I realize that this government and all governments are strapped for cash, but—

Mr Turnbull: With your answer in mind, I could just ask a supplementary question then. We're seeing that seven of the eight worker groups are to be appointed by the Ontario Federation of Labour. That leaves out the vast majority of workers in this province, and that would certainly be one of my concerns, that in fact potentially an even larger group than the people like you would be representing would be totally ignored as a group of workers to get representation on that. Could you just speak to that?

Mr Goldstein: I realize that's been a concern. I've been following the debates in Hansard and I realize that has been a concern of the third party. I was thinking about it a great deal last night on the train on the way here to Toronto. The one thing that entered into mind was, what is the difference between the needs of union and non-union workers? They both have families. They both need to put food on the table. They both work shifts. To me, the only essential difference is that one set of workers is represented and one set of workers is not. With all due respect, I see that, in a way, as undermining the representatives of organized labour. These people who you say are not represented should ideally be represented by a labour organization. That's what the labour organization is there for.

The Chair: Thank you. Now it's Mr Sutherland's turn.

Mr Kimble Sutherland (Oxford): I guess just on that point, I think it's important to note that just about every jurisdiction uses organized labour to represent the interests of labour. The federal government labour force development board and many of the other provinces and jurisdictions are using the type of model that's being developed here.

Aaron, I want to ask you just a little bit as to whether you're aware of the mention in the legislation with regard to reference councils and some of the discussion about reference councils for looking at different areas. There's entry, re-entry, I think some of the apprenticeship—

Mr Goldstein: Sections 18 through 20, basically.

Mr Sutherland: Yes, some of that material. It's my sense and understanding that there's good potential for a much broader base of representation on those reference councils. How would you see the role of youth if youth wasn't getting a seat? I know you're asking for a seat on the board itself. How would you see the role of youth involved with some of the reference councils?

Mr Goldstein: As I mentioned in the presentation, section 9 would obviously be applicable to sections 18 through 20. I think that would be an excellent opportunity. If we, for some

reason, can't get on the board itself, I think the local training boards, the reference committees, are a good start, because what better way to start than at the grass-roots level, the local level? To give people in the local community—just, say, the local high school. It would be great if a representative could come into a class and say: "We have this board. We want to know what you think. Here's an opportunity to get on the board. Fill out this application. We'll interview people. We'll get the input of various student organizations, 4-H, Boys and Girls clubs, multicultural organizations, and we'll have your concerns heard."

Mr Sutherland: Has your organization been involved in any type of consultation in your local area or involved in any types of training activities?

Mr Goldstein: Not with this formally. Like I said before, when Mr Makuto, the regional consultant, was a member of the Ontario Anti-Racism Advisory Working Group, that was one of the 10 recommendations made to Stephen Lewis and Zanana Akande. But other than that, we haven't had any real, formal consultations within the community itself.

We do have other activities going at this time as well. We are lobbying the province to establish a team court program, which has been established in a number of counties in the United States. We have a biannual conference coming up in May and we're preparing for that. Since we are the Multicultural Association of Northwestern Ontario, we work throughout the region and we frequently travel to areas like Sioux Lookout, Terrace Bay, Manitouwadge, Atikokan, you name it. So we're busy helping those groups in those smaller communities organize as well. It's been more recently that we've focused more of our attention on OTAB but we would certainly be pleased to play a larger role in shaping youth representation on OTAB.

Mr Sutherland: Okay. I believe Mr Martin wants to ask you a question.

Mr Tony Martin (Sault Ste Marie): Perhaps to follow up on Kimble Sutherland's question, I've read your background material here and I'm really impressed with the kinds of things you're involved in. It certainly speaks to the kind of world that I want my kids to move into, which is respectful of the various abilities of people.

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Have you sought and achieved representation on any of the other boards in your community that do education—colleges, universities, that kind of thing?

Mr Goldstein: Not us personally. The only youth representation I can think of offhand would be a high school representative on one of the television advisory boards. It's only been in the last couple of years that we've increased our political activity, more or less. We're sort of divided into two aspects. Many of our activities, when we go out into places like Manitouwadge, Atikokan, Terrace Bay and all those places, are basically of a recreational nature. Our conferences are more devoted to the "political" stuff. But to answer your question directly, no.

Mr Martin: Okay. I was going to ask, then—although maybe you might want to project a bit—how effective you think one youth would be in this area.

Mr Goldstein: As it stands now it's a 22-member board with an aboriginal representative. It could be 23, and given the recommendations of the Toronto School of Business and many other organizations, it could be 30, conceivably 40 members, and if we do get a youth representative on the board, one voice can be lost in a crowd of 20 to 30 people, but at least that voice is there. One voice is better than no voice at all, and you have so many organizations backing up that voice. As I understand it, you would have a whole plethora of organizations backing up that voice. So just to restate: One voice is better than none at all.

Mr Martin: Thank you.

The Chair: Did you want one, Mr Wilson?

Mr Gary Wilson: Do I still have time?

The Chair: Of course you have time. That's why I looked inquisitively towards you and your colleague: to see which of you was going to use that time.

Mr Gary Wilson: Mr Goldstein, thanks very much for your presentation. It shows one of the benefits of travelling by rail, I guess, that you're able to reflect on the bill, read and reflect on it. It shows your understanding of it, your presentation, which I appreciated.

I want to ask you, though, what your views are about ways of avoiding the dropout rate in high school. Are there stay-in-school programs that you might want to talk about that would ease the need for training programs directed at students or young people who would normally be in school?

Mr Goldstein: I realize that the dropout rate is a concern of the federal government, this government and all governments, and I realize that governments have various stay-in-school programs and training programs to try to alleviate this problem. But I think one of the problems with those programs—I mean, career development weeks, when they go into the school—and understandably, you want to have people who are experts in their field coming in, who know what they're talking about. But as I entered university I found that whenever I attended a presentation I noticed one thing: the presenters were all students; they were all people my age. And I observed another thing: the people—myself and other people—paid more attention to the students than they normally would to the experts.

Mr Martin: Where are these events that you're referring to?

Mr Goldstein: Specifically, I'm referring to Carleton University's health services. That's what I'm referring to, the health services department of Carleton University; an AIDS presentation. I've been to a number of them in the past. I'm not saying that there shouldn't be professional expertise there. I see a combination of professional expertise and student presenters. It's sort of what we do at our biannual conferences.

We have various workshops involving a plethora of issues, everywhere from teen pregnancy to race relations in the school to policing. What we usually do is we have one professional facilitator, let's say if it's policing, somebody from the police force, and then maybe one or two student facilitators, so the policeman's or policewoman's presentation doesn't get lost in the shuffle.

Mr Martin: So are you thinking of some kind of model for, say, in school issues, to highlight and investigate the reasons—

Mr Goldstein: I think that's just one step in the right direction. Obviously it's going to take more than that. If a person has had trouble academically throughout his or her school career and is literally failing out, attending a presentation might help a little bit in reversing a decision to drop out, but that's a bit of a tenuous hook here. More has to be done, but it has to be worked in that direction.

Mr Gary Wilson: And sooner, I would think, too, once the decision—

Mr Goldstein: Yes, the sooner the better.

Mr Gary Wilson: I'm wondering about, specifically, what student representation could be found. Can you think of some mechanism that exists within the high schools, for instance?

Mr Goldstein: Again, I think it's a matter of attitude. All too often the problem I find with the student councils in the high schools is that they're more or less, if I may use the term, a puppet government, and that's the way it's looked upon by the teachers and the principal, the administration. It's not really taken very seriously. They're not looked upon as partners; they're somebody to be looked down upon. As a matter of fact, principals I've had in the past, when referring to a student council, would always say, "I am the democracy." When I hear that—

Mr Gary Wilson: The principal says that?

Mr Goldstein: Yes, absolutely; certainly, or words to that effect. One principal did say, "I am the democracy," but other principals have more or less said words to that effect. That's the primary reason I never ran for student council, because I knew it was going to be a colossal waste of time. People have said, "You could have changed things." Well, hindsight is great in retrospect.

Mr Gary Wilson: So you're suggesting more authority for students, then.

Mr Goldstein: I'm suggesting more of a partnership which, of course, would involve more authority. Of course one realizes that the teachers and the administration have a greater deal of wealth and experience, but by not looking down upon the students as if they're nothing—when you look down on somebody and when you condescend, they turn right off. If you don't do that, if you treat them as a partner, whatever their achievements might be—maybe not as numerous as the teachers' or the principals'—it's a positive step in the right direction.

Mr Dalton McGuinty (Ottawa South): Let me begin, Mr Goldstein, by commending you for the initiative you've taken in taking an active interest in this policy initiative on the part of the government.

I disagree with the broader view that I think the government is taking in this legislation and I think it's a path on which you find yourself as well. To me, this represents a view of the province as being a collection, really, of not much more than disparate interest groups, each of which seeks to advance its own cause to the exclusion of others.

Now, you're on that path because you're telling us that, notwithstanding, the directors here are mandated to act in the public interest, and surely the public interest has to take into account the needs of our youth. You're telling us as well that notwithstanding that there may even be a youth person who falls within one of the other categories of the directors—you could have a youth person who's there as a labour representative, a youth person as a business representative—you still have no faith that these directors would properly represent the interests of youth.

My question is: If we pursue that to its logical end, where do we draw the line? Do we have to put a representative of every possible interest group there? And what do we have to do—I guess I'm getting a little bit philosophical here—to ensure that everybody looks out for everybody? My experience is that when we do this kind of thing we get the business people saying: "Well, we've got a youth rep; let him or her worry about their end. We're here to look after our end."

1130

Mr Goldstein: I think society's a balance of individuals and collectivities. In an ideal society everybody would be looking out for everybody, but we don't live in that kind of world. The fact of the matter is that people look out for their own interests. They may say with a public face that, "Yes, we're looking out in the public interest," but in reality it's all too common that their interests come first, whether intentional or unintentional. Given that youth represents a very broad base of the population and given no necessary "political" representation, like I said before, our concerns can, intentionally or unintentionally, be lost in the shuffle.

I realize the argument you're making. You basically stated that we could break this down to the point where you have literally hundreds of collectivities, but one could have made the same argument against the representation on the board we have now, the employment equity groups, and I'm sure people have made those arguments.

The point is, like I said before, that society is a balance between individuals and collectivities, and we simply have to recognize that without a structure of government in place, government in its various bodies, groups don't necessarily look out for everybody around them but more often than not, themselves.

Mr McGuinty: Where would you draw the line then? How do we in government draw the line? The gentleman presenting before you asked that we increase the number to 30.

Mr Goldstein: That's a decision for all participants concerned to make.

Mr McGuinty: But yours has to be in?

Mr Goldstein: Yes.

The Vice-Chair (Mr Bob Huget): Thank you very much, sir, for your presentation. We appreciate your taking the time this morning to come and express your views. You've certainly generated some interesting dialogue with the committee, and again, thank you for taking the time to appear.

SARNIA LAMBTON CHAMBER OF COMMERCE

The Vice-Chair: The next scheduled presenter is the Sarnia Lambton Chamber of Commerce, if you could come

forward, please, and identify yourself for the purposes of Hansard and proceed with your presentation.

Mr Gerry Macartney: Thank you, Mr Chair and members of the committee. My name is Gerry Macartney and I represent, as the Chairman said, the Sarnia Lambton Chamber of Commerce. We have 963 member firms in our community that have employed with them some 26,000 workers from both large industry and small business, so it's a rather large jurisdiction that we're responsible for.

Our final recommendations reflect the general views and concerns of our members and should be given reasonable consideration in forming the legislation. These recommendations supersede the previous positions we have presented to the government, both in our preliminary position statements and our summary recommendations.

Owing to the short time available—and I'll try and keep this to under 15 minutes—I will confine my remarks to the bill only and invite your questions at the end of the presentation. I see copies of our presentation are being circulated so you'll have those in front of you. I'll go line by line, if you don't mind, right to the bill, if I could make these suggestions in order.

Starting with clause 1(d), there is a reference to the promotion of Ontario's linguistic duality. While our chamber fully recognizes the rights of our francophone people and supports the notion of Canada as a country comprising two founding nations, we do have some concerns as to how OTAB will deliver those services.

We recommend in recommendation 1, therefore, that the labour force development programs and services be delivered in two languages only where the population of francophone Ontarians is sufficiently high enough to warrant the use of two languages. As a guideline, OTAB should consider paralleling the delivery of its services consistent with that of the Ministry of Transportation's signage policies and motor vehicle licence issuing offices as they relate to language limitations. This, therefore, would reflect the needs of the community. There are certain limitations in population percentages that apply to that ministry.

Under section 2, "Definitions": We recommend that the definition be expanded to include apprenticeships. OTAB could provide a mechanism for broader input to apprenticeships as well as the potential for portability of certification through the Canadian Labour Force Development Board.

This underlines the point under "Purposes" in section 1, clause (b), where the act refers to "in the context of the competitive Canadian and global economies" and emphasizes the important linkage between a portable, flexible workforce and a competitive workforce.

Under objects, section 4, paragraph 1, we would recommend that any reference to "public sector" be stricken from the act at this time. In our view, there is too much uncertainty as to what is meant by "public sector" and OTAB's focus to date remains unclear as to how it could incorporate public sector training into its mandate.

Under paragraph 1 continued, we recommend that after the word "evaluate" and before the words "labour force" the words "needs-driven" be included.

It is our strong belief that OTAB must, as a prerequisite to the establishment of labour force development programs,

qualify the need for training and that it must be relevant and effective. No consideration should be given to vested entitlement such as training days per employee, nor should we consider achieving arbitrary spending levels on training or the exchange of money for training time. Put another way, let's not train for training's sake.

Under paragraph 2, and this is just a matter of cleaning up some language, we recommend that the words "all aspects," in reference to all aspects of labour force development should have research and development carried out—we're a little worried that when someone puts the word "all" in that you really mean it—be replaced with "identifiable priorities."

Under paragraph 6, we recommend that after the word "training" and before the words "so as to" the words "including apprenticeships" be added, and we've already articulated our views under recommendation 2.

Under paragraph 15, we recommend that after the last word, "resources," the words "including both public and private sources" be added. Private sector trainers have earned a developed reputation for on-time, effective and innovative delivery and continue to provide a valuable contribution to Ontario employers and employees. We strongly urge that OTAB include them in the training delivery sphere.

We recommend that paragraph 16 be deleted as the amended paragraph 15 would, therefore, replace it, making it redundant.

On to paragraph 17, recommendation 9: We recommend that the meaning of this paragraph be reflected in our previous recommendation that calls for delivery of labour force development programs to reflect the provincial government's policies on language similar to those of the Ministry of Transportation. We've already talked about that.

Under "Criteria," clause 4(2)(b), we find this section too vague and unclear as to its meaning; "a framework of accountability" is not necessarily accountability. We recommend that OTAB should have reasonable autonomy without losing its advisory role in the process. OTAB should have a ministerial reporting mechanism likely coordinated by Skills Development—that's not a hard recommendation—and therefore be responsible to cabinet.

Under subsection 7(2), having to do with real property, I think this would be a sensitive issue for all Ontarians these days, but we recommend that this paragraph stop at the word "interest" in the second line and that the words "without first obtaining the approval of the Lieutenant Governor in Council" be eliminated. Ontarians should not have to ever again deal with a crown corporation or agency building its own headquarters with taxpayer dollars. I think you know which building I refer to.

Under "Directors," subsection 9(3), we recommend that after the words "in consultation with" and before the word "organizations," the words "and endorsed by" be added.

Under "Additional directors," subsection 11(1), we recommend that this section be deleted as it could unfairly tip the balance of labour market partners. Additionally, it is contrary to the mandate of OTAB, which states in subsection 9(2) that, "There shall be twenty-two directors," not that there could be or might be but that there shall be. My limited knowledge of the legal profession tells me that "shall" is legal terminology.

If the minister wishes to have senior members of Ontario's or Canada's public service sector represented on the board, the minister can recommend the accommodation of that wish within the seven directors allotted to the labour component. The same applies to subsection 11(2) with respect to a director being appointed to represent municipalities.

Recommendation 14: Accordingly, we would recommend that subsection 11(3) also be eliminated, regardless of its intent. It's our belief that you are either a director or you're not. OTAB would find it extremely difficult to define a "quasi-director." Another option for the minister or the OTAB directors might be to accommodate these requests through the business or labour reference groups.

If I could digress for just a second, noting what the previous speaker mentioned to you, I think it would be unwise for all of us, particularly the OTAB directors, to contemplate putting a number of reference groups together, particularly related to business and/or labour, without factoring in students. There's no reason why, without changing the mandate or the number of directors on OTAB, a specific reference group for students couldn't be considered and put into place. That's something I'm sure the business community would endorse and approve of.

1140

Under "Regulations," clause 30(1)(b), this section states, "The Lieutenant Governor in Council may make regulations...governing the decision-making procedures followed at directors' meetings."

This will be one of the more contentious issues, I'm sure, as you move through your deliberations, but we recommend that the following sentence be added to this section, "If consensus cannot be reached, decision-making on OTAB would be by double majority," in other words, a simple majority vote of the board plus a majority vote of each of the business and labour sectors respectively. This will be critical in ensuring that directors who are not a part of either the business or labour sectors do not form a coalition with either sector that could ultimately eliminate the desired balance as set out in the purpose clause.

While the bill has in great detail outlined the formation, structure, regulations and purpose of OTAB, we remain somewhat confused as to how OTAB is to be funded.

Under "Miscellaneous" and "Fees" in section 21, which states, "OTAB may charge fees for its services, in the amounts fixed by the regulations made under this act," we, and I think the people of Ontario too, need to know what the intent of this section means, specifically, who the fees will be charged to, how they will be formulated and at what amounts.

In today's prevailing economic climate, we doubt that there would be much support for any new tax devices levied against employers or employees for training or adjustment programs. Nevertheless, if OTAB can demonstrate a real need for a funding mechanism outside the tax arena, we would ask that you refer to our recommendations outlined on page 5 of our previous position, which I hope you have on file, under cover of our summary recommendations which we issued in April 1992.

I'll give you a brief synopsis of what that contains. You have an appendix attached.

Specifically: (a) OTAB adopt a credit for relevant workplace training to employers—this only assumes, of course, that OTAB is willing to contemplate some type of levy or tax if it ever gets there—(b) prior to any levy or tax being applied to employers and employees, an independent impact study be performed to determine the impact on Ontario employers' competitiveness; (c) if sufficient funds are not available to operate OTAB programs, funding be secured equally and equitably from the three primary beneficiaries, namely, employers, employees and the government; and (d) funds derived from these first two sources be used exclusively for workforce training and not for funding of programs for non-participating groups.

Other than requesting that OTAB add another director representing middle-aged bald guys, I've got nothing further to add. I'll gladly accept any of your questions.

Mrs Cunningham: Thank you very much, I think on behalf of the whole committee. With regard to the specific recommendations that you've given us for change and that we'll have an opportunity to study, I'm particularly interested in your expanding on, I believe it was recommendation 15 under the regs, section 30, page 6, because we've heard this before. You could maybe pose the problem to us and then tell us why you've made this recommendation so I can follow you more carefully. You were going very quickly.

Mr Macartney: Let me take a wild stab at it. Let's assume hypothetically that there are individual board members of the 22 who may or may not align themselves with either side of the major groups, labour or business. I think one could make those assumptions fairly easily in these times, that individuals who have only one representative on that board, whether it be the disabled people, women, francophones or whatever the group, may find it expeditious to align themselves with one side or the other. I'm not suggesting which side that may be. You can all speculate on that. What labour's concern should be is that if that group decides to form a coalition and move over to the business side of the agenda, then labour would find itself at a disadvantage. Conversely, if they aligned themselves with the labour side, then business would find itself at a disadvantage.

This group is not homogeneous, and I don't think anybody has ever suggested it would be. Therefore, with numbers like 22 or 24, whatever it ends up being—we would strongly encourage you not to increase it beyond 22, going back to Mr McGuinity's point that you have to put a line somewhere—that would be our concern, that in moments of conflict where there needs to be a decision, without a double majority vote and a simple single majority vote, you could necessarily tip the balance of scale that I think the mandate properly describes at the outset.

That would be our concern, and I think it's been expressed by both sides, frankly. I don't mean to draw sides here, but labour and business have both expressed concern that if either of those other wings, shall we say, line up with either side of the two major labour market partners, we could have a problem in trying to resolve conflict.

Mrs Cunningham: One of the discussions around this table on behalf of some of the witnesses, and certainly some of the members of this committee, has been that when someone is

appointed he or she wouldn't be representing a special interest. There's been some strong statements made that they would be in fact representing what's best for Ontario in training. I wondered if you had any observations on that.

Mr Macartney: The cheque's in the mail. That would be my only comment. I mean, those are all very noble thoughts; they're not realistic thoughts.

Mrs Cunningham: You didn't remark on the fact that the eight labour representatives are from the organized workforce, seven of them being appointed by the Ontario Federation of Labour. You didn't remark on that. I wondered if that was a concern.

Mr Macartney: I have not seen that contained in the bill, nor have I seen it articulated officially. If someone can confirm to me that that is an official position, then clearly business, I would suggest to you, would oppose that, at least from our particular chamber. I might be off a percentage or two, but about 66% of the workforce in the province of Ontario is in fact not organized.

The young man before me—I apologize for forgetting his name—pointed out quite rightly that the needs of those individuals, whether they are organized or not organized, are in fact the same. I understand what Mr Sutherland would refer to, that these are models that have been used by the federal government and the provincial government in previous exercises. That doesn't necessarily make them right.

Mrs Cunningham: You did not talk about whether or not the local boards should be designated in any particular way in the legislation. It isn't now; it's permissive, "may." You didn't remark on the local training boards as they exist and whether you feel they would be important to us in that they've already established quite a network in their community. I wondered whether, from your position as a member of the chamber in your area, you have any comments in that regard.

Mr Macartney: I do. Although the bill is not specific as to the creation of LTABs, other than, if you get into the past two years we've been deliberating on it in Sarnia, CECs for the moment have been the right vehicle. I think most people would agree. How one decides where these regions are going to be located in the province is a tough job.

If I could fly into that perfect world again for a minute, if I could create an LTAB, I would design it exactly like the amended Bill 96, of course amended to our way of thinking. I think you could create an LTAB in 22 or 24 regions throughout the province that would be a perfect working model if some of the other things that have been considered here, including our recommendations—I say that seriously—could be formulated in creating the LTAB in the local community. That's where the grass-roots input will come from. That's where I think a lot of the needs and concerns of other groups, not necessarily represented on the board, can be addressed.

I would like to think that on LTABs there could also be a reflection on OTAB in the creation of resource bodies, be it business, be it labour, be it students etc. I think you'll get far more input from the local level from those various groups than you might be able to manage at the provincial level in OTAB.

So I think it's the right thing to do. I think business generally supports the notion of an OTAB. Clearly, the way we've been handling training in this province, and frankly the rest of the country, has not been a model of efficiency, nor has it been very efficient economically.

I'm concerned, though, as we all sit here and deliberate about how we're going to spend \$2.5 billion, that we really haven't taken a strong look at who the recipients of that training are going to be and where that training needs to take us in the competitive world of Canada in the 1995-through-2000 period. It's not going to be in the next millennium; it's going to be in the next couple of years. In fact, it's happening right now.

Mr Sutherland: I just wanted to make a couple of comments. First of all, your presentation is very good. Obviously, you've spent some time going through the legislation and analysing it. With respect to recommendation 1 about the delivery of French language, the Ministry of Transportation signage policy is consistent with the French Language Services Act, and OTAB would be subject to that as well.

Mr Macartney: That's good. It wasn't articulated, but I am comforted by that.

1150

Mr Sutherland: You also made reference about appointments from the other levels of government. I just wanted to make sure that you're aware that those appointments would not be voting members. They would be ex officio members from the federal, provincial and municipal. They are there because they obviously have a vested interest in terms of providing some of those services, but they wouldn't be voting members.

Mr Macartney: I understand that. I myself act as an ex officio member of my board, and I can tell you, I may be the most influential person on that board.

Mr Sutherland: I mean, three out of 22—they are there because they obviously have interests, so to be aware and monitoring what is going on. I just wanted to bring those two issues to your attention.

Mr Macartney: I appreciate that.

Mr Gary Wilson: Thanks for your presentation, Mr Macartney. It obviously shows that you've given a lot of thought to this issue. In fact, I think you've shown one of the bases of our establishment of a board and the way we're trying to get a representative system by pointing out that while it might be nice to have a director representing bald-headed, middle-aged people, you can understand why there can't be. At the same time, I would say you certainly represented much more than simply bald-headed, middle-aged people in your presentation today. As I say, it showed a lot of thought about the various interests that have to be brought together in something like OTAB.

I want to pick up on one remark you made about the suggestion you heard in the previous interchange having to do with other boards that are set up like this and their reliance on representatives from organized labour. You're saying it's not the right way. I was just wondering whether you might want to comment on what you see as being a way ahead in this regard, or what the drawbacks are, I guess.

Mr Macartney: It may surprise you that business would have the view that organized labour clearly has a place at the table; there's no doubt in our minds. If it's to represent all labour, my question would be, can it reasonably and fairly assume that it can?

I don't know who the representatives on business are going to be, but let's suggest that there is some controversy now around small business. I know that's the case. If all the major business organizations or the CEOs of major corporations are in fact the only business representatives on that board, then that does not serve the province of Ontario very well, because our future growth in terms of the economy will come from small business.

In fact, if you take my example, at our chamber, of the 963 member firms about 913 of them are very small businesses, so for me to come here and represent only the interests of large industry, for instance—and Mr Huget can relate to this—those large industries probably pay 50% of our total annual dues. So I should go out and represent nothing but the interests of major industry. I can't do that. And I don't think the OFL is in a position to say, "I can therefore represent the interests of all labour." It's just a fair point.

Mr Gary Wilson: But you have to accommodate that in your chamber.

Mr Macartney: I do, and I think OTAB should accommodate it in the makeup of its board. I don't know what the right number is. I wish I could say that the OFL should have six votes or five representatives and the others should come from other, non-organized sectors, and I don't think that would be unfair in anybody's terms. No one is suggesting that unions shouldn't be at the table—that would be foolish—any more than we should suggest that only large industry should be at the table.

Mr Gary Wilson: Another presenter this morning talked about the dynamic nature of the economy and how OTAB has to reflect that. Part of dynamism, of course, is that it changes. I'm just wondering what your views are in bringing groups together like this on OTAB, whether that wouldn't promote cooperation that would represent, I think, the recognition that the economy is changing and that there has to be more cooperation.

Mr Macartney: I would agree to that. If I were given the responsibility to put a logo over the top of the OTAB offices, wherever they may be leased, I would put on it seven words: "That's the way we've always done it." Then, underneath that, I'd put "Failure." Because if we continue to abide by those seven words, as a lot of businesses do in Canada and in Ontario and in Sarnia, we're doomed to fail. And I'm saying that in all seriousness, because if we just put OTAB together as a collective to manage all the things we've always done, then you may as well forget the whole notion of OTAB to begin with. This is "new frontier" stuff, to quote what I'm sure Clinton is saying right now, and I think we've got to look at it in that light. So partnerships, cooperation, yes; awareness—critical. But we've got to move. We've got to do like Nike says, "Just do it," but not the way we've always done it.

Mr Offer: Thank you for your presentation. It's certainly taken us through the bill almost in a clause-by-clause analysis and it will be quite helpful.

First, by comment with respect to your concern about fees and OTAB being able to charge fees, it's certainly one that was brought up yesterday, and we've received an assurance by the ministry that the fees are just of an administrative nature. I don't know if that will help to calm some of those concerns. If they don't, I wouldn't mind hearing from you on that.

The other area is this double majority. Can you tell me how that would not be a stalemate, that the board in essence would not ever be able to do anything when one requires a double majority?

Mr Macartney: In the early stages of OTAB, when OTAB was still being contemplated, not even to the extent that it is now, there was some discussion that the only way to resolve conflict—in those days; I'm going back two and a half years now—was, "Put 'em all in a room and lock 'em up." Real simple: "You don't come out until you resolve the problem." That sounds good, but unfortunately you end up with long, protracted debates and very hungry people, because the other suggestion I would have is that you let no food in.

I think you need a double majority in today's terms, with the clear definitions this government has ascribed to. I'm not saying that's right or wrong, but there definitely are dividing lines between business and labour. Hopefully that's coming together a little more. It had better, in 1993 and 1994. But if you don't have some mechanism to resolve conflict, you will end up with one or the other party walking away from the table. I'm not saying which side will do that, but clearly there have been enough couched threats in the past six months that, "If we don't get this or we don't get that, we're walking from the table." That doesn't serve anybody and I would not condone that. But if you don't like that, then you need to develop a mechanism that prevents that from happening, and in my view, a double-majority vote is probably the only way you can do it. I've heard no better suggestion yet as to how conflicts may be resolved, if and when they arise, and they will.

Can I go back to your statement about whether I'm comforted by the administrative cost of these services? No, I'm not, because I don't know whether it's on a user-pay basis, on a contractual basis or an across-the-board basis. Can you clear that up for me?

Mr Offer: I cannot. I actually raised the issue yesterday and asked for the ministry to clarify that. That's why I asked for your comments. Maybe we can deal with that issue, because I think that is one that's of real concern.

Mr Macartney: If individuals or groups requested specific training that was not generic to the OTAB package, then OTAB clearly has the right to charge on a fee-for-service basis, contracted as any good business contract would be. I don't think anybody would have real difficulty with that. If you're talking about the generic package that is available to all Ontarians all the time, however, then I'm not comfortable with an administrative fee, because the only way you could levy that is either by a levy or a tax, and that I am not comforted by.

Mr McGuinty: I was interested in getting your opinion, Mr Macartney, in connection with directors in particular. From your perspective, to whom will they be accountable? It

says in this bill that they're mandated to "act in the public interest while taking into account the needs and perspectives of the group he or she represents." I don't think it's possible to wear two hats. Which interest is going to be given primacy here? At the end of the day, who's going to come out on top? Is it going to be the public interest or is it going to be the interest of the specific group you would represent? Do you see that as a problem?

Mr Macartney: Sure. It's a problem going in. You'd like to think that there's the opportunity for all those individuals, regardless of what jurisdiction they represent, to go in representing the public and the public interest. There need to be enough safeguards built into the system that prevent somebody from switching hats midstream and ignoring the public interest in favour of their own specific interests. Hopefully those mechanisms that we have recommended will not eliminate but certainly reduce the opportunity for those kinds of things to happen. I couldn't guarantee it, and I'm not sure OTAB could either. That's why we're concerned about cabinet responsibility.

Let me put it to you this way. If OTAB runs its own course and has its own absolute autonomy, then I can't get to it. It's important that I be able to get to it as a citizen, as a business representative etc. I want to know that I can go to Mr Huget and say, "Bob, this damn thing isn't working," and I want him to have access to the Legislative Assembly and the cabinet to determine that OTAB is moving in a wrong direction and that things could be corrected. If I lose that opportunity, then I might as well be talking to a wall. I will not get any response from him, because he can't get access to it. So that's the relevance of that statement, that we think it has to have not a framework of accountability but direct accountability.

The Chair: Thank you, sir. I want to welcome Ellen MacKinnon, the member for Lambton who, although she is not a member of the committee, has taken time out of her schedule to participate in these hearings. It demonstrates her interest in the legislation.

I want to thank you, Mr Macartney, for coming here from Sarnia-Lambton to present the views of the Sarnia Lambton Chamber of Commerce. You have done so very skilfully, and obviously have captured the attention of all the members of the committee. We're grateful to you for expressing the views of the chamber and providing your insights into this legislation. We trust you'll be keeping in touch with your own member and other members of the committee. We welcome you to do that. Take care and have a good, safe trip back home.

Mr Macartney: Thanks for the opportunity.

The Chair: Thank you, sir. We are recessed until 2 o'clock, but I do want people to note exhibit 02/03/018, which is a summary of trading boards in European jurisdictions—Germany, the Netherlands, the United Kingdom—which was prepared by ministry staff. They are available to respond to any questions regarding this particular summary or to expand on it if members wish, and they can indicate that at any point this afternoon. Thank you kindly. Two o'clock, please.

The committee recessed at 1202.

AFTERNOON SITTING

The committee resumed at 1405.

ONTARIO ASSOCIATION OF CAREER COLLEGES

The Chair: Good afternoon. We're ready to resume. Our first participant this afternoon is the Ontario Association of Career Colleges, Guelph. Please come forward, have a seat, tell us who you are. We've got your written material which will become part of the record by virtue of having been filed and will form an exhibit to these proceedings. We're going to take 30 minutes. Please try to save at least the second 15, because committee members are going to want to talk to you, question you and engage in dialogue with you. Please go ahead, ma'am, your name, who you are, and proceed with your comments.

Ms Lyn Gallinger: Thank you for this opportunity to speak to Bill 96. My name is Lyn Gallinger, and I address you today as an affiliate of the Ontario Association of Career Colleges and as a representative of three campuses of the Toronto School of Business: St Catharines, Kitchener and West Toronto.

There are almost 300 private career colleges in Ontario registered as private vocational schools by the Ministry of Colleges and Universities. Many are represented by the Ontario Association of Career Colleges. There are also 1,000-plus private trainers in Ontario represented by such organizations as the National Society for Performance and Instruction and the Human Resources Professionals Association of Ontario.

As you have heard earlier, more than 3,700 students chose to attend these schools in the past year. Many of these students have identified characteristics of private training which are advantageous to them. With diploma programs which for the most part are completed in six to 12 months, private vocational schools or career colleges can offer the students the ability to enter the workplace within a time frame which minimizes their loss of income. The smaller class sizes, in relation to college or university environments, offer the students more individual attention, and the flexibility of hours helps the students fit their training into work or personal-related commitments.

For OTAB to achieve the goals which have been set out, it must ensure equal accessibility for all students to all aspects of training available, so that everyone has the option to choose the most appropriate training for their individual circumstances. Whether this be community-based training, university, community colleges, school boards or private training, OTAB must ensure that students have fair and equal access to the training option which best meets their needs.

One of our immediate concerns has been the lack of knowledge of the vast majority of the public and certainly of a large portion of government employees regarding career colleges or private vocational schools in general. Misconceptions regarding cost, length of courses, variety of courses available and placement are rampant in the government agencies dealing with training, retraining and upgrading.

Career colleges offer client-centred, placement-stressed programs. These schools are consumer oriented with courses created out of marketplace demands. The success of the school depends on the success of its students in the workplace, so

emphasis is placed on creating employees who have a ready market for their skills. We operate for the purpose of preparing students for successful employment. Reputation for excellence is the key source of income, so students must be satisfied as well as successful.

Courses, fees and faculties are approved by the Ministry of Colleges and Universities before being implemented. Each course offered, each fee structure charged and each faculty member must be accepted and standardized by the ministry.

Options not offered by public trainers are offered by private ones, often in areas away from the mainstream where public services are unavailable. Private trainers are able in many cases to move the training into the area of the workplace, thus providing an accommodative training environment. Private trainers range from a single-person entity to organizations with up to 100 personnel and they offer programs from shop-floor technical to managerial training in all types of formats from technology-based to standup lectures.

Not being encumbered with a heavy superstructure, career colleges are able to provide increased flexibility and response to labour market demands. Reduced course development costs also enable private vocational schools to pass on the lower rates to students. We are not supported by government tax dollars. In fact we are taxpaying institutions. Because students are trained and ready for the workplace in a much shorter period of time, they are off government-supported programs and working to be self-supporting.

These are facts, not fiction. It costs less money to train a person for six months in terms of tuition, living expenses and lost wages than it does to keep that same individual on government support for two or three years to complete a college or university program. Yet our students have been refused funding from CEC, UIC and WCB because so much government money has been committed to two or three years of community-based training. Support staff of these government organizations have a biased view of career colleges in terms of placement, tuition and courses available.

Jobs Ontario in the Waterloo-Wellington area is being brokered by a community college—clearly a conflict of interest. You are all aware of the long waiting period for the government-supported Transitions program, which is intolerable when these same people could be retrained and fitted into existing programs starting monthly in career colleges.

Private vocational schools fear that they will be excluded in the future. The Ontario Federation of Labour has recommended that private educators and trainers be excluded from membership on the boards and be prohibited from providing training to recipients of government funding. This cannot be allowed to happen. All government-funded training should be open to fair, competitive bidding with all parties being considered equally.

These are some of the problems which must be addressed, not only at the OTAB level but at the local board level as well. OTAB needs to designate localized training and adjustment boards which have a composition reflecting the characteristics of their individual communities and which best meet needs of the actual local training.

Section 15 refers to the effective use of all educational resources. This section should also specify the educational/training constituents already recognized by the government as prime

providers, for example, community-based trainers, community colleges, universities, school boards and private trainers.

If it is a mandate of OTAB to ensure the strength of any training institute, it must not discriminate between types of institutions. It must include private trainers as well as public and community-based trainers. To proceed in any other manner undermines the fairness and equity of OTAB by forcing special populations to enrol in training programs that may not be appropriate, just for the sake of ensuring the strength of public institutions.

Building a career is not easy today and, while our training delivery options may not be for everyone, making sure that everyone has the option to choose the most appropriate training for their individual circumstances is critical to develop the workforce which Ontario requires.

We would like to be partners in the education continuum of Ontario.

The Chair: Thank you, ma'am. We have five minutes per caucus. Mr Wilson, please.

Mr Gary Wilson: Thanks for your presentation, I appreciated it. I was wondering too, though, whether you would elaborate on the diagram you have on your back page.

Ms Gallinger: On the continuum?

Mr Gary Wilson: Yes, please.

Ms Gallinger: This was presented at one of the formal meetings when the educators got together, which in itself was a unique situation. It was actually presented by the University of Guelph, and it's the first time that we, as private vocational schools, looked at our position in the education continuum. I've always thought of it as being a hierarchy—public school, high school, college, university—and I thought this was a unique way of expressing education on a continuum rather than a hierarchy, and we do have a place in the education system.

Mr Gary Wilson: In effect, looking at this, the line here goes from basic skills to more advanced skills and then job creation. Do you see jobs created anywhere before the final outcome?

Ms Gallinger: Oh, yes, I think anywhere from basic skills to more advanced skills, particularly now with apprenticeships coming in and people being trained at a base level.

Mr Gary Wilson: Thanks, Ms Gallinger. The competitiveness continuum diagram was produced at a meeting of educators and trainers, was it?

Ms Gallinger: It was actually shown for the first time at a meeting of all the educators in Metropolitan Toronto, all five constituencies.

Mr Gary Wilson: Right, and this was the first time you'd attended a meeting like that. Is that what you're saying?

Ms Gallinger: No. This was the first time I had seen the continuum presented.

Mr Gary Wilson: So you have attended other meetings. What I'm getting at here is, just how is the cooperation between the two sectors, the private sector and the public?

Ms Gallinger: The five constituents?

Mr Gary Wilson: Yes.

Ms Gallinger: For the first time, I think, in the beginning of OTAB, from last January, last February until now,

they've actually been able to sit around a round table and express their ideologies that they could all work with. It's one time in a million that you see universities saying, "Yes, we can refer people to private trainers," and private trainers saying, "Yes, there are courses that community colleges can perform better than we can."

Mr Gary Wilson: I'm interested to hear that, because, as you point it, you have quite a lean operation, I think is a fair way of characterizing it, yet there are elements that some students at least wouldn't be able to get at—

Ms Gallinger: That's definitely right.

Mr Gary Wilson: This is what you mean, I guess, by referring them to other institutions.

Ms Gallinger: Yes.

Mr Gary Wilson: Do you find then that this is an appropriate or a satisfactory arrangement as far as the consultation between the two sectors is concerned, that you can in fact work together?

Ms Gallinger: I think it's essential that we work together. Our concerns are more to the point that there are two education positions on the board, at OTAB level and at local boards. Our concern is that we be considered as an equal partner as opposed to being shut out from public funding.

Mr Gary Wilson: I see. But you do, as you say, have that avenue or that access to the governing board through the representation your sector has in the first place?

Ms Gallinger: Yes.

Mr Gary Wilson: The other is that I'd like you to comment on what you think of the thrust of the OTAB as being user-driven, or the main emphasis being given to those who need the training as opposed to those—I think it's been those who provide it, the more traditional approach perhaps, that governments and agencies come up with the programs and then apply them to the people who need them, rather than the people who need them and the communities providing the main thrust to designing the programs. What do you think of that arrangement?

Ms Gallinger: I understand that that is the thrust of OTAB, that at each local area they know best what training needs the community has and then it's whoever can best provide those training needs who should be allowed to provide them, whether it's a community-based trainer, a private-based trainer or a university or an apprenticeship training program.

Mr Gary Wilson: Have you anything like that in your school, for instance, to see what the students need? How do you design the programs you offer?

Ms Gallinger: The programs that we try to design are those where we know there are positions available. There's no point in producing a course for which there are no jobs open so that our students, when they graduate, have no chance of placement.

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Mr Gary Wilson: Is there any interaction between the students and the faculty at your school, or the administration?

Ms Gallinger: I beg your pardon?

Mr Gary Wilson: Is there any interaction, like student groups, some student organization, at your school?

Ms Gallinger: There is a student committee, yes, but remember, our students are at school for between six and eight months and they're only at school four hours a day. So there isn't the same type of student-based organization that you would have at a university or a community college.

Mr David Ramsay (Timiskaming): Welcome, Ms Gallinger. Thank you very much for your presentation. I'd like to get to the heart of the matter here of your presentation and ask you why you think that there is this prejudice, as I would call it, in this legislation against private trainers. Why do you think that is?

Ms Gallinger: I don't think it's exactly a prejudice against private trainers as much as a lack of knowledge of where the private trainers fit into the educational community. I feel that in the past a lot of people have looked at career colleges as fly-by-night businesses, which is not true. It may in the past have been, because a college would start up that was going to offer travel and tourism, and it takes the students' money and is closed a year later. I think, as I say, it is lack of knowledge of the existing career colleges and their position in the educational continuum, not a bias.

Mr Ramsay: I'll accept that and I appreciate that point of view. I find it interesting that from the series of questions you received from the government members, I guess there is a lack of understanding also, and a lack of sort of a more modern mindset that training and education, in essence, is a product, that there is a client—you full well know that in the private sector—and that you are providing a service for that client. Obviously, you wouldn't be in existence if you weren't providing the appropriate product. Your survival is the assessment of how well you are doing, for sure, so obviously you must be doing something right.

I think this is one of the fatal flaws of this legislation—another one—in that we are not in a modern way sort of opening up the public sector, in this case education providers, to competition, which I think we need to do, as we do in all the public sector, so that those in the public sector know they're delivering a good service and feel good about themselves, and the taxpayer is receiving good value for her or his money.

I agree with you and I think, as was mentioned yesterday, that one way to go about this would be to delete this particular clause in the bill that says the mandate of OTAB is there to basically strengthen the publicly funded education systems in Ontario, but to relay and maybe beef up a little more that its mandate is to make effective use of Ontario's diverse educational and training resources, and leave it at that so that everybody is there on equal footing, and then try to encourage, if you will, a bit of competition, which some people think is not a very nice word but I think could be a refreshing change if done in a controlled way, so that we don't disrupt the system but start to have the system be a little more client-driven. I was wondering, would deleting that clause in the bill be a way around it?

Ms Gallinger: Yes, I can see that, but I can also see that the government has already defined educators and trainers as five different components or five different constituencies. There are community-based trainers in existence, excellent ones. There are school boards, again, that are offering excellent programs. There are the universities and the community

colleges, and most certainly there are private trainers or private training colleges, career colleges; call them what you may. I think it should be inclusive rather than strengthening one of the five areas.

Mr Ramsay: Right. So what we want to do is make it inclusive. Would one way to do that maybe be to expand the representation on the board of OTAB and the LTABs so that you make sure we include the various deliverers of training?

Ms Gallinger: No, I don't really think so. I would like to see. If it was possible, you'd be talking about five members on both OTAB and each local board. It becomes unwieldy. What we really need are educators at both the Ontario level and the local board level who are broad-minded enough to see the position of private trainers, community-based trainers, universities, colleges and all the constituents, hopefully.

Mrs Cunningham: I'll just follow the line of questions. Good afternoon, Ms Gallinger. Thank you for coming today. It seems like the private trainers are having some difficulties with regard to Transitions programs and others, and if it exists now with no direction from the government with regard to—you mentioned the community college being a broker here and being in conflict.

Ms Gallinger: I think it's a conflict.

Mrs Cunningham: Are you then coming to us to tell us where you think you should fit into this legislation?

Ms Gallinger: No.

Mrs Cunningham: You're not recognized now.

Ms Gallinger: I beg your pardon?

Mrs Cunningham: You're not specifically recognized now.

Ms Gallinger: We are recognized as one of the constituents. It's just that we're concerned that with the Ontario Federation of Labour speaking out so definitely against public funding for private training—

Mrs Cunningham: Where in the bill are you represented as one of the constituents?

Ms Gallinger: We are not, in actual fact.

Mrs Cunningham: That's my point.

Ms Gallinger: That's correct.

Mrs Cunningham: If you're concerned, there are numbers of groups that are making the same complaint. What the government then will try to do is take some recommendations from the witnesses and put you in somewhere. So other groups have said: "This is where we think we fit. We think we should be designated," whatever. I was just wondering if you had taken a look at the bill in that regard.

Ms Gallinger: Yes, I have and I think the basic assumption there would be, in defining educator-trainers, that educators be the five constituents.

Mrs Cunningham: That the educators have five positions? Is this what you're saying?

Ms Gallinger: No, that the educators be defined as the five constituents: community-based, university, community colleges and private trainers.

Mrs Cunningham: And private trainers. So it should perhaps be defined.

Ms Gallinger: Yes.

Mrs Cunningham: We'll be asking the same question later on with regard to representing labour, what labour means. What we're probably looking for here is what "educators" and "trainers" specifically means, a definition of "educators" and "trainers." Perhaps the groups could be listed somewhere in the definitions.

Ms Gallinger: Yes.

Mrs Cunningham: Okay. I'm being rather precise here.

With regard to the community boards, there's been some argument as to whether the legislation should be more specific. If you look at section 18—I'm not sure you've got the bill with you.

Ms Gallinger: I don't have the bill with me.

Mrs Cunningham: Could we get a copy of the bill to Ms Gallinger, please. Section 18 says, "OTAB may"—it's not "shall" but "may"—"designate local training and adjustment boards that have been established in accordance with the regulations made under this act."

Now, one of the great difficulties with this legislation is that we are not sure what the regulations will look like. Perhaps we will in the very short course, at least here with regard to intent, but others have come before and said that the "may" should be "shall." Others have specifically said that perhaps the makeup of the local training boards ought to be left to the local communities, and others have said that at least the choices of the makeup ought to be designated somewhere in the bill. I'm just wondering if you have given that any thought.

Ms Gallinger: Not specifically, but I would think that in leaving it to the local board level, the onus is then on the local area, whereas if the positions are defined by the Ontario Training and Adjustment Board, the local training boards would not have as much leeway. In other words, in some areas you're going to find there's a very strong community-based institution which has very highly representative speakers or highly representative people who are going to take over the positions on the board regardless of what else is there.

Mrs Cunningham: Would you like to see as part of the regulations at least a list of groups that ought to be considered for representation and you would like to be one of those?

Ms Gallinger: Yes, definitely.

Mrs Cunningham: Because we can give that kind of direction to the government from this committee. We can either put it in the bill, which would be an amendment, or if we're acting particularly responsibly, which I hope we will be, we may say that this is one of the areas that should be considered in the regulations and we may make that recommendation for them. It's up to them to do it or otherwise, but at least as a group, as a committee, we could make a recommendation in either direction, either an amendment or a recommendation. So you would be for the regulations and a list.

Ms Gallinger: The regulation, yes.

The Chair: I want to thank you, Ms Gallinger, for appearing today on behalf of the Ontario Association of Career Colleges. You've made a valuable contribution. You've provided some interesting insights, and you have performed a significant role in the process of the committee. We trust

you'll keep in touch. Take care. You're welcome to stay here, and of course you can obtain a transcript, by way of Hansard, of your comments or any other portion of the committee hearings by calling the clerk or your own MPP. That's free of charge. Thank you. Have a safe trip back home.

1430

ONTARIO FEDERATION OF LABOUR

The Chair: The next participant is the Ontario Federation of Labour. Please come forward and have a seat. Tell us who you are and your titles, if any. We have your written materials. They'll be made an exhibit and form part of the record. Please try to save at least the last 15 minutes for exchanges, questions and dialogue.

Mr Ken Signoretti: My name is Ken Signoretti, and I'm the executive vice-president. With me I have Jim Turk, who's the director of education for the federation and also the chair of the subcommittee on training that worked with the OTAB stuff. I would like Jim to get into the technical stuff a little later on, but I might make a few comments.

First of all, I want to say that the Ontario Federation of Labour and the labour movement as a whole has been interested in job training for some time. I can recall myself, as a representative of the Steelworkers from years ago, when we talked not only about the kind of training there is now, but about training right within the plant and giving people an opportunity to move from one job to another, which was a very different kind of training than what we're talking about but none the less talking about training.

We sent around to the committee a brochure which capsulizes what we have done over the last number of years with respect to training. It followed a couple of policy conferences that we had and that gives you a sense of where we are with the training program.

Before I turn it over to Jim, I would like to just make one comment in anticipation of something that I know will come up, and that's with respect to unorganized workers, because we went through it in Bill 40, as Mr Offer knows, and we went through it in Bill 208, as everyone else knows. I would like, for the record, to state the Ontario Federation of Labour's position on it.

In the Ontario Federation of Labour, when we go to a convention, we don't just talk about the work of organized workers. We talk about and discuss employment equity, minimum wage and a whole range of ideas and ways to make the working life of working people much better in this province. That's our objective.

Having said that, it is also our position that we feel organized labour should be the representative on the board for a couple of reasons. One is that non-organized workers don't have an accountability process. We can kid ourselves all we want; it's not going to happen. I would just like, for a moment, to give you my experience in my own plant. When we organized into a union—and Steven knows this because I've raised this with him a couple of times—when we joined the union, it had nothing to do with wages, benefits or anything else; it had something to do with input as people and input as workers. We were told, "Yes, you will have input." The fact of the matter is that the input from us was only input when it suited the company and when it suited the management of the company.

We feel that to have empowerment you really have to be part of an organization. It's no different from the chamber of commerce, it's no different from the Canadian Federation of Independent Business and it's no different from the Canadian Manufacturers' Association. Having said that, I would like to turn it over to Jim, and maybe Jim can touch on a few technical points. One other point is that we appreciate the government bringing the legislation in, and we think it's time you get on with it.

Mr Jim Turk: We've been spending a lot of time dealing with training, as Ken mentioned, going back years. Labour has been wanting more training, and it's been our experience that very few employers have been willing to put on training. The surveys that have been done both in Ontario and by the federal government indicate that only about one out of three employers provides any training whatsoever, and the bulk of that training is to senior management, senior technical people and sales staff.

So getting training has been an issue, although it's not clear what a problem it's been because, when you ask most people if they can do their jobs—if I were to ask you if you could do your jobs well, I'm sure most of you would say, yes, you do. If I would ask you what training you got to do that job, you would not be unlike most other people and you'd say, "Well, I didn't get a whole lot of formal training to do the job I've done," but you've picked up how to do it, and if you think back to other jobs in your life, it's often that case.

So on one hand, the need for training, especially as there are new technologies and new labour processes, is very important. On the other hand, working people have found a way to learn how to do their work. So we felt that employers have an obligation to provide more regular training and, for those who aren't in the labour force, there have to be better opportunities for them to get access to training.

I understand that the representative of the chamber of commerce who spoke to you yesterday was quoted in the *Toronto Star* today as saying, "You have bill before you that is a step backwards, a more bureaucratic, less effective training system than the one we currently have." It absolutely astounds me that anyone can imagine a training system worse than the one we currently have, and to suggest that this bill would bring that about is slander of a serious sort.

We actually think the bill you have before us by and large is a good one. The bill is one over which there's been an enormous amount of discussion. There have been created a number of steering committees, as you know: a labour steering committee that I've chaired, a business steering committee that John Howatson from the Canadian Manufacturers' Association has chaired, steering committees for visible minorities, women, people with disabilities, francophones and educator-trainers.

We have had hundreds of hours of meetings. We've had cross-province tours to deal with local board issues; in fact, they dealt with OTAB issues. There's been a great amount of consultation, and for about six or seven months the chairs of those steering committees, and at times the whole steering committees themselves, have gotten together to talk about how we can work together.

We've come to this process with very different orientations, and one of the things I'm happy about in the legislation

is that much of the concerns that have been expressed in this process are reflected in the legislation. Let me give you one example. A great debate has taken place for months about what the purpose of OTAB is. We, and most of the equity groups, started with a vision that the purpose of OTAB is to increase the ability of workers and potential workers to participate fully and to have training that allows them to participate more meaningfully and fully, not only in their working lives but in all aspects of their lives. The business community started with the purpose of OTAB being to increase the competitiveness and productivity of Ontario business.

So we started with two rather different points of view. In debating the mandate in the bill before you, in clause 1(b) and also in paragraph 4(1)5, there's that general purpose clause. Business wanted reference to competitiveness and productivity, and we wanted reference to training that improved the lives of workers and potential workers. So the bill, in a true compromise fashion, has come up with language that includes both.

We are happy about emphases in the bill that stress issues of serious concern to us in terms of issues of access and equity. If you look in paragraph 4(1)9, it talks about ensuring access and equity in labour force development programs and services to lead to full participation. It's carried on in paragraph 10, talking about seeking to eliminate systemic and other discriminatory barriers to full and active participation of disadvantaged and underrepresented groups in the labour force. It talks about a priority of meeting the special needs of people with disabilities. These kinds of words on paper are terribly important, because the training system, rather than being a vehicle for equity, has often been a vehicle to reinforce past discriminatory practices.

Ken mentioned a leaflet that tries to encapsulate our vision of training. One of the key things for us, if you look on the inside, is guidelines for good training. What's been frustrating in the OTAB process, I could say as a footnote, is that we've spent all our time talking about structures and numbers of people and bureaucratic and administrative kinds of things. We've had precious little time up to now to talk about why we are in this business, and that is to get better training. This is an attempt to share our view of what good training would look like. For us, one of the things is skills training, in number 2, that acts as a vehicle for correcting discrimination against women, visible minorities, native people and the disabled. We're glad the OTAB legislation reflects that concern, and hopefully this will be a strong sign to the OTAB governing body and its councils to design a better kind of training system.

1440

So when those who tell you the present training system is okay, it's okay maybe if you're a white male; it's okay if you have a job in one of those one third of workplaces that provide any training; it's okay if you're attached to the business community, because the business communities control most of the community industrial training committees; but for most of the rest of people, it's not so great, and OTAB gives us an opportunity to make it better, to bring together initiatives spread across 11 ministries. It's not a guarantee that it will be better, but it certainly provides the best opportunity we've seen in a very long time.

Another concern of ours, and a very strong concern, as you know, is that the federal government is quite committed to the privatization of training. In the negotiations between Canada and Ontario for the federal-provincial training agreement, one of the federal government's priorities was to cut back on the amount of federal money that is used to buy seats at community colleges and other public institutions and to turn that over to community industrial training committees and other vehicles to ensure there's a greater degree of private training provided.

In our view, and the view of some in the business community, one of the things that's unique about Ontario is the enormous investment that has been made in the public educational infrastructure to provide education and training. Our community college system—23 colleges, 90 campuses—is really unparalleled in this country or in many other countries.

We've been very critical of a lot of things the colleges do. On the other hand, we have the infrastructure that can be at the centre of the delivery of an effective training program. It makes no economic sense to us in general and certainly no economic sense to us in these difficult economic times, when there's too little money to begin to meet our needs, to talk about encouraging and developing a parallel infrastructure for the development of training.

So we have argued strongly that OTAB has to operate in such a way as to build on the strengths and to strengthen the public educational systems, rather than to be a vehicle for further privatizing training. Paragraph 4(1)16 in the bill reflects that commitment, and we think that's a very important one.

The bill also, in paragraph 4(1)17, talks about another important obligation for OTAB that will correct some present problems in the training system, and that is to take into account the training needs of Ontario's francophone community. They have not been well served by the existing training structure.

Finally, one of the issues near and dear to our hearts: The logic for OTAB was to bring training in this province under one umbrella, spread over, as I mentioned, 11 ministries, to bring it all together. In our early discussions, there was a suggestion, "Yes, we'd bring it together for the private sector, but not for the public sector," that the public sector somehow would operate outside of OTAB, certainly the broader public sector as opposed to the Ontario public service.

That made no sense to us at all, that we'd develop training programs where electricians who work for a private construction company would be part of OTAB but those who worked for a school board or a municipality would somehow be outside OTAB's purview. In talking about broader labour market development policy, one had to look at the entire labour force in Ontario in designing training programs, to have one location, one structure, where policy and programs for training can be delivered. We're pleased to see in the bill a reflection of a commitment to OTAB dealing with training for both the private and public sectors. We think that's economically efficient, with the very large number of people who work in the public sector and the similarity of jobs between the public sector and private sector. Health care workers who work for private nursing homes and health care workers who work for municipal nursing homes are doing the same work, so we're pleased to see a reflection in the legislation that it will be for both.

The one concern we continue to have with the legislation has to do with the top management structure of OTAB that's envisioned in the legislation. From the beginning of this process, the logic of OTAB is to give the labour market partners—business and labour and the equity groups—a much more significant voice in training. Our fear is that the way the bill is crafted, with an emphasis on a chief executive officer who will run it and basically a volunteer board, a volunteer governing body, we may have the phenomenon of a structure in which the governing body will largely be advisory, that the power and resources of the structure and of the chief executive officer will be such that they will effectively drive the operation of this organization, and that it will be not unlike the experience many of us have had in being on volunteer boards with a full-time bureaucracy. You'll come to a meeting, you'll get a stack of materials this high, and they'll say, "These are the things we'll be discussing this afternoon. If you have any questions or problems, please let us know and we'll correct them," knowing full well that nobody could begin to read all that.

We have put forward a proposal to remedy that. What we really need is a structure that would allow and encourage the board to have effective control of the organization. For us, this means the ability to hire and fire the chief executive officer, and it means having, in our view, two full-time vice-chairs through whom the chief executive officer would report to the board. So the chief executive officer would indeed have responsibility for operational matters, but the two vice-chairs of the board would be full-timers, and the reporting relationship would be clear, so there would be a greater possibility that this board that's bringing together, presumably, key people from the various labour market sectors would have control over it. None of that's really reflected here.

In talking with the staff of the OTAB project, we've pressed for exploring ways in which the board could have effective ability to hire and fire, given that it's an order-in-council appointment. I think there is specification in the material that we've received from the OTAB project that the hiring, the recommendation for the order-in-council appointment, will be made by the OTAB governing bodies and a senior civil servant. We're not sure why there has to be a senior civil servant there. We're told, "Well, you have to make sure Management Board directives are followed," but surely that can be done without the person being on the selection committee. In terms of the ability to dismiss the CEO, we think there has to be some form of performance contract that would reside with the governing body.

We would have preferred the legislation to make reference to having among the eight directors a business director and a labour director who would be full-time vice-chairs through whom the CEO would report. That's been one issue that continues to concern us, because there's no point in going through this whole exercise, involving the large numbers of people who are going to be involved, and at the end of the day having them be largely an advisory group that may or may not be listened to by a CEO who is driving the process.

Apart from that point, our general position is one of great pleasure that the government's moved ahead with this. We're sorry it hasn't been able to be moved faster. I think we'd like

to leave the rest of the time to deal with any questions or comments you might have.

The Chair: Four minutes per caucus. Mr Ramsay, please.

Mr Ramsay: Thank you very much for your presentation. Before I talk about a couple of the areas you brought up, I want to say that when you look at the investment management has put into training in this country, we realize we've got to do something. Management has been, I think, negligent in this country in investing in its workers. When you do look at the investment by management of this country into its workers, it's primarily in the white-collar field too, and managers and up. It hasn't been to workers, so something has to happen, for sure, to get the interest of the private sector to invest in its people and see its people as assets.

I wanted to make a comment about the representation on the workers' side being exclusively from organized labour, just to tell you why some of us are bringing this up, as we think, as a problem.

I will accept that on general issues, representatives from organized labour can represent all the workers in Ontario. I can accept that. Where it really presents a problem is especially down at the local level, where maybe in a particular region there isn't that much of an organized workplace, so the experience of the area, or of that particular worker from a certain sector, isn't of organized labour. That's the really big fear, that even if one accepts the overall model for OTAB as the eight and eight, with all eight coming from organized labour—which I don't, totally—when you bring it down to the local level, it gets even worse, because you really might have difficulty finding eight people from organized labour who really reflect what work goes on in that region. That really presents a difficulty for some of the regions. So I'd like to see more flexibility in the makeup, especially at the local level. Would you like to comment on that?

1450

Mr Turk: Just two comments. With regard to the regions as they've been described in the tentative maps of local boards, I really don't see a region where there is not significant representation of organized labour. That's number one.

Number two, the role that people are going to play, whether on the OTAB governing body or on local boards, is presumably to reflect their broader constituency rather than their own individual workplace in a discussion about what the training needs are and how those training needs can best be met and how resources can be allocated to meet the needs best. That means that whoever is there has to be there representing a broader constituency, whether it be an individual businessperson or an individual worker, as opposed to being there representing themselves, their own workplace or whatever.

So the very practical problem of an unorganized worker having a seat is, as Ken mentioned, who chooses them? To whom would they report? Whom would they consult with? Every time I raise that question with business—and the chamber of commerce has been on a real campaign raising the issue of unorganized workers and it has suddenly taken a serious interest in unorganized workers—it appears: Who would choose them?

Well, the best answer they ever come up with is, "I, the employer, would have to choose them because I know my workers." I don't mean to be flip, and if they'd like to donate some of their business seats to unorganized workers, that's their business, but an employer-selected worker is hardly able to reflect the needs and interests of workers. And an individual worker, even if self-selected or by a lottery or some other way, might find it very difficult to reflect workers' genuine interests, knowing that they are there as an individual with no protection in their workplace or whatever. So there's an accountability issue that I hope will be as serious an issue at the local level as at the provincial level. If it becomes simply, "I'm there representing me, or my life experience," we're going to have a really messy situation, I'm afraid.

Mr Signoretti: If I can just add to that, Mr Ramsay, I recall very clearly, when sitting in this room months ago on the Bill 208 hearings, that exactly was the position of the CFIB, saying that they would select them. It just doesn't make sense. You're going to be accountable to people whom you represent, and that's really what it boils down to.

First of all, our position is we'd like to see all unorganized workers organized. That would be the bottom line. Having said that, we know that's not going to happen, and having said that, also we have to respect their rights. But we feel we have the expertise, we feel we have the knowhow and the knowledge, to do a job for these people too.

Mr Ramsay: Just looking at your brochure, I think that in order for all of us in society to come together, we're all going to have to adjust our language somewhat. I think that on the management side, management's got to start to rid itself of the word "boss," and from labour's side we've got to start to incorporate, I guess, the word "partner."

I see you used the words "corporate agenda" and all that, and really, it's got to be one agenda. In the end, a business is going to want to be efficient so it can compete and provide work for its workers, and therefore the community, and be able to sell a product. In the end we're going to have to come together that it's one agenda, that we have a place as a worker in the community through businesses—because that's how that's organized—and that the company can be profitable and flourish. Somehow we've got to come together and say that it's one agenda, that we all want to be successful, as individual workers or as a company.

Mr Signoretti: Can I answer that? You are absolutely correct, and I don't disagree with that. I think this is what Jim pointed out earlier.

One of the problems we have in terms of not having a full-time person on that board is that if you don't have a full-time person, then essentially it will just become an advisory committee, and that's what will keep it on track. I know there have been problems at the safety and health agency, and Steven knows that. The fact of the matter is that there have been some things accomplished and there have been some things done. It's going to take some work on both sides, and I agree with that, but that's the way we think we should do it.

Mr Turk: Just one other comment. I think our view of it is that it is true that workers' interests and employers' interests overlap in some significant areas. If an employer goes out of business, there are no jobs. But I think the visual image

I would suggest is of two circles that partly overlap. There are significant differences in our interests too. We don't have one agenda, as reflected in the debate about the mandate for OTAB. As I said, business's view from the beginning was that the purpose of OTAB is to make businesses more internationally competitive. Our view is that the purpose of training is to enrich the lives of workers, but not just narrowly in terms of their present job and for their present employer. If there's a public investment, we have an interest in the kind of training that's going to stand that person in better stead.

So there are some different agendas here, and we're increasingly experiencing an economy in which the growth is workerless growth; the increased profitability is at the expense of workers. There's no necessary relationship between enhanced profitability and more and better jobs. Northern Telecom is a perfect example; it has grown massively over the last decade and in fact I think it's had a net decline in the number of workers in Canada. There are overlapping interests, but there are also some significant differences.

Mrs Cunningham: I'm interested in asking a couple of questions. I'm just going to make a statement, and perhaps you could respond to it. I think it was—Ken, I don't know how you spell your last name.

Mr Signoretti: Pardon?

Mrs Cunningham: Your last name?

Mr Signoretti: Signoretti.

Mrs Cunningham: You mentioned that unorganized workers don't have an accountability process and therefore it would be difficult for them to make recommendations.

Mr Signoretti: Yes.

Mrs Cunningham: We heard earlier today and yesterday that businesses also feel that they probably are having some difficulties in making their appointments to the board, because they want both large businesses and small businesses represented.

Mr Signoretti: Yes, I'm sure they do.

Mrs Cunningham: Many of them would be part of what we would describe as the unorganized workforce, but they're having to struggle among each other to find a way to put their representatives forward.

Then you said—I don't think it was you, actually; Jim, I think it was you who said this; I've got your name beside it—that you didn't really join a union because you were concerned about wages or benefits.

Mr Signoretti: That was me.

Mrs Cunningham: Was it you again? Okay. You weren't concerned about wages or benefits; you were really more concerned about your ability to have input. You then said that to have empowerment you have to be part of the organization. I can assure you, if you really believe that, then you must further believe that nonorganized workers also want to have input, they also want the empowerment, to be part of the organization, and that for you to say you speak on their behalf as an organized labour force, which is the way you started, is just simply unbelievable.

Mr Signoretti: Well, okay—sorry.

Mrs Cunningham: You can respond, but it's unbelievable that you would say those three sentences back to back.

Mr Signoretti: Let me respond to that, because I speak from personal experience, Ms Cunningham, and I speak from personal experience from my employer. I worked for a number of years in a plant in Sudbury. It was a non-union plant, and we were quite happy with the situation simply because we were close to Inco and the company said to us, "Look, whatever Inco gets in wages and benefits we'll pass along to you." We said, "Fine, that's no problem." There were only 11 of us, 11 people in two plants.

Mrs Cunningham: Go very fast, because I only have three minutes.

Mr Signoretti: Eleven people in two plants, but the frustration was that we wanted to get things out, and when an organizing drive started, the company said, "What we'll do is we'll form our own association," which was fine, and the employees agreed with that. The reality was that every time an employee tried to input something, if it didn't go the way the company wanted, you were a troublemaker and you had a problem.

Mrs Cunningham: I have no problem with what you're saying.

Mr Signoretti: All I'm saying to you, then, is that unless you're in an organized situation, that's going to exist in any plant. We went through it in Bill 40, Mrs Cunningham, let me tell you.

Mrs Cunningham: The business community is now finding its own way to be able to put forward representatives of large and small business; it's not easy. I can assure you that the non-organized workers, if they were allowed to, would find representation for them, and you should not be so presumptuous to think that you speak for everybody.

My next point is this: With regard to local board issues, you also made the statement that the local CITCs are controlled by business. I sat on one of those local boards, where the union and the labour movement would not be represented, and even when we did have a representation of unions, they were told not to be there. I actually have a letter here where that person was told not to be there. That was over a period of 10 years. I'm not saying that's true throughout the province, but you can always pick your little examples.

The Chair: Would you respond to that, please.

Mr Turk: Sorry?

The Chair: Go ahead, respond to that, please.

Mr Turk: There's not a community industrial training committee in the province that has the same number of workers on it as business; not a single one.

Mrs Cunningham: I definitely agree with you.

Mr Turk: Secondly, there is not a single one where labour has had a significant say in the agenda; at best, there are one or two token labour representatives. When CITCs were first set up, the Ontario Federation of Labour and the Canadian Labour Congress encouraged participation. When it became clear that our participation was token, we finally felt we had better ways to spend our time. The businesses in some communities would continue to draw people in and use their name

and claim labour participation without having any measurable impact.

Mrs Cunningham: You can understand how the non-organized workers feel.

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The Chair: Thank you. Ms Swarbrick, please.

Ms Anne Swarbrick (Scarborough West): I'd like to also speak from personal experience, as Ken has. Jim made reference to the kind of training we might have as MPPs for doing the jobs we do now, and certainly I can acknowledge that most of my training for the job that I'm doing now came from the 20 years that I spent in the labour movement, both in terms of the direct experience within the labour movement and being a labour representative to every kind of group going in society: working for affordable housing; sitting on municipal economic development committees; working in women's coalitions etc.

Certainly, what solidified my involvement and my desire to stay very significantly involved in the labour movement was when I learned in my early years, through a union training course, the role the labour movement in fact has played in this country as part very much of the important social movement within our country that has constantly driven it forward. I give examples of the role the labour movement has played in achieving the reduction of the hours of work in the work-week to a decent amount for most people, the gains of things like vacation leave and sick leave, things that didn't used to exist at all at one time, things like medicare, pensions, unemployment insurance, workers' compensation, maternity and parental leave. All of those kinds of things were things that the labour movement led the fight for on behalf of working people and on behalf of not just union people but non-union people as well.

So I guess the question I'd like to put to you to comment on is, do you not believe that this is just another example of where the labour movement is what's needed to help lead the way in those kinds of gains within the kind of training that we really need to drive Ontario into the 20th and 21st centuries?

I'd just like to comment and clarify that we've also heard in this room that it's not just in Ontario that we're looking at having organized labour represent the working people's needs on this body. We've heard that's the way the Quebec system works. We've heard that's the way the federal labour force productivity board works. We've heard that's the way it works in the Netherlands and in Germany, and most of those, as well, with the exception of the federal government, are where the labour movement is involved in not just an advisory board but a decision-making board as well.

So I guess, Jim and Ken, if you'd like to comment on. It seems to me that this is just another example of the labour movement being what's needed to help lead these kinds of changes in the training area. Would you comment?

Mr Signoretti: One of the things that we found, if I might just go back to Bill 40 in particular—208, but Bill 40 in particular—over the discussion in the hearings and the discussions we've had across the province, was that the facts were there, that in fact where you had a highly unionized workforce you had a far more efficient workforce, and

you had more participation and what you had was input from the union, which also helped the company.

I think the mistake that people forget—and we go through this and I'm trying to think of the hearings we had from time to time. The one thing that we must remember is that workers are not interested in putting companies out of business; unions are not interested in putting companies out of business. Sure, from time to time, we've had adversary conditions and we've had strikes and we've had problems, but we've resolved them. By and large, that's the way this country's moved forward. We think that's the way it should go, because the European context is that it's far more efficient, it's far more productive and you have a far greater unionization rate than you have. If we want to continue following that American model, which is low wages, low unionization, fine, we can do it, but we're going down the wrong path, that's all.

The Chair: Thank you to the Ontario Federation of Labour and to you, Mr Turk, to you, Mr Signoretti, for your interest, for your participation, for your candid responses to the questions put to you today. We're grateful to you as a committee and we trust that you'll keep in touch. Thank you kindly.

Mr Signoretti: Thank you, sir. Thank you for your time.

MISSISSAUGA BOARD OF TRADE

The Chair: The next participant is the Mississauga Board of Trade. Please come forward, people. Tell us your names, what your titles are. Proceed with your comments. We've got your written submission. It'll form part of the record by virtue of being made an exhibit.

Mr Michael Budd: I would like to introduce the members of the Mississauga Board of Trade who are here today at your request and invitation. We thank you for that opportunity. My name is Michael Budd. I'm a director with the board of trade.

Mr Steven Junk: I'm Steve Junk. I'm the vice-president of the board of trade.

Mr Martin Rosen: I'm Martin Rosen. I'm chair of the education and training committee of the board of trade.

Mr Lawrence Bryan: I'm Lawrence Bryan, also with the Mississauga Board of Trade. Mr Huget, how are you, sir?

Mr Huget (Sarnia): Good.

Mr Budd: We want to thank you for the opportunity to be here today. I guess we were quite stimulated by the discussion we heard prior to our presentation. We intend to kind of avoid the rhetoric, if you like, and the hyperbole. We think it's a great intent of this government to address the education and training needs. We use the words "education" and "training" intentionally, because we feel that, up to this point, the dialogue has mostly focused on retraining of people who have tried in the workforce and perhaps not had as much success as they like. So we'll use that connection and that partnership, if you like, throughout.

I'd just like to start off that I assume people who are invited here today are invited because they have something significant to say and that they have a basis for saying it. The board of trade is made up of 1,600 employees from companies in Mississauga that employ 17,000 people. The board of trade has been involved in this debate at several different

levels and you have copies in front of you so I won't make this thing onerous by reading it.

I think at the end of it, the conclusion we'd like to make, or the claim we'd like to make, is that we're well qualified to comment on this particular area. We've been involved with it for some time and are not johnny-come-lately to the discussion of training and what our community and our society needs.

The points we'd like to emphasize as far as our presentation goes today begin in section 3 of the presentation, and they're all summarized there again. I won't take your time by reading them, but we'd like to emphasize a few of the highlights here. As far as changes to legislation—we even presume to go that far—we've included a section in the back which talks about existing legislation and the amendments we think we'd ask some consideration for.

At the outset, let me say that I think we're all encouraged to hear things like partnership. We're all encouraged to hear people talking about agendas. The very grave concern we have is that this will be another exercise with an ulterior motive rather than training and education. We're really pleased to hear that the repeated emphasis by some of the honourable members here today is to point to the fact that there's really only one single purpose here and that is to create a better quality of life. We don't see a place in this for solutions that only prove to repay partnerships or obligations that might have existed in the past. We think this is a fundamental piece of legislation for the government of Ontario, so our hats off to you for initiating the process.

Let's just walk through the points and I think we'll speak to each one of them. I'll call on my colleagues from time to time to address certain aspects of them.

One of the toughest jobs any Legislature, certainly in North America, has to face today is standing before the people on the steps of any Legislature and claiming they have a very important job and claiming that they have the best interests of the people at heart, because it's tough out there. I'm sure you've seen it. We don't want to make it any tougher.

We think one of the most important things you can do is to eliminate some of the duplication and to really touch people at the level they're politicking. As a businessman myself, I can't imagine ever being able to amass 8,000 people on the Legislature lawn out here for anything. We couldn't get them to come to a freebie or where there's donations made, so I don't know how you did it, but you have a commanding presence in Ontario.

1510

We'd like to see that duplication ended by making sure that the LTABs—I use "LTABs" and I hope that meets with everyone's understanding—really take on a major focus, a major presence and a major role in terms of developing the training, assessing the kind of training that's required, assessing the capabilities of the individual workers themselves and finally delivering the services.

We have a number of organizations in Peel at least and in Halton that actually do that now and are participating in that, and I'm sure there's no desire here to go about reinventing the wheel. I think there is a need to try and eliminate some of the duplication. There is a need to be a little more coordinated in the way we go about it. So we applaud any effort that you make in that particular direction.

As for the significance of the LTABs, there's a very encouraging bit of news in the Financial Post this morning. I thought, "Boy, we're making a presentation today and we have our Minister for Skills Development, the Honourable Richard Allen, saying it for us." We almost think that we don't need to make this point, because he says: "In delivering training in Ontario, we've concluded that decisions should therefore be made by those closest to the client," and that's simply our case for LTABs. I mean, the people who really know what's going on in Mississauga or in Oakville or in Burlington in regard to the training needs of employees at Pratt and Whitney or, for that matter, at a small business of 10 people, are the people who live there.

If the LTABs are empowered and, for that matter, watchdogged by OTAB, we think they'll do a great job. We think OTAB has a major role to play in terms of making sure that LTABs are accountable, and quite frankly, as long as representation on the LTABs is controlled and selected by OTAB, involving the Employment and Immigration Canada organization as well as the Canadian Labour Force Development Board, we'd be delighted if OTAB established the criteria for LTAB members. We think you're quite capable of doing that. We want and need someone to do that at a local level.

We also want and need someone at a local level to make sure that there's ongoing discussion with other OTAB-like bodies in other provinces, because if we're talking about creating, as this legislation does, the idea of mobility of workers, then how can we only talk about Ontario? God forbid that there's work going on in Alberta that brings people to Ontario some day and we tell them they're unqualified or they can't work here. We'd better make sure that our training is consistent across the country. It's not just a provincial responsibility, and that's why it's not one that should be driven by a local or municipal or provincial or federal agenda. We really think there is one agenda here, and it's to make people more employable.

OTAB has another important role to play, and that is to prevent the proliferation of additional paid positions. We noticed in the legislation as it currently exists that we have committees that are to assist the representatives on the OTAB organization to carry out its mandate, and we understand the significance and the importance of having those people carry on those activities on a daily basis.

Notwithstanding that, we feel that the reference committees that are also included in here, for the most part—and there may be a few exceptions—are going to be selected from people like OFL and organizations that represent the interests of women and the interests of the handicapped, so to the extent that those organizations already receive fairly significant funding at a number of levels, from the municipal level right on through to the federal level, we think it's a good idea to avoid having those positions paid. We're here today on our free time, and we've been involved in this debate for several hundreds of hours on our free time because we think it's important and we appreciate the opportunity to present this position today. So I think that's another responsibility OTAB has.

We move on to the discussion of collaboration. This is part and parcel, I guess, of the duplication debate. Certainly,

as we look at the number of levels right now from which training is dispensed, I'm sure there is no one in this room who would argue that we couldn't do a better job of delivering the programs to the people who actually need them and we couldn't do a better job of delivering more appropriate programs.

We think the OTAB organization has a major role to play in preventing that overlap where in fact some programs are duplicated and in other situations would-be workers fall through the cracks. There's a real need to blend and smooth that whole delivery system and we'd be happy if OTAB assumed the responsibility to make sure that that situation didn't occur. In fact, labour force training came from locally driven requirements, whether they're in Cochrane or Thunder Bay or Windsor or Toronto.

One of the other areas that we think needs to be addressed, and that benefits everyone when it is, is the recognition that there's publicly funded training at the present time and privately funded training, and sometimes, depending on the agenda of the person who has the cash to offer the training, one group or another group gets favoured, if you like.

If Sheridan College, as an example in our area, has the best training for a particular segment, we'd like it to be selected on the basis of price and on the basis of the quality of the program. If, on the other hand, a private trainer has it, we think the private trainer should have equal access to those kinds of funds.

There are certain things that organizations like Sheridan College, because of the long-term developmental process it can go through to develop programs, can deliver better than the private sector. But there are certain other kinds of programs where the rapidly changing needs in an area like computer software might be better served by the private sector. As long as both organizations have equal access to funds, we're delighted. If legislation can be tailored to allow that, if the proper regulatory processes can be put in place so that both publicly funded organizations and privately funded ones have to go through the same application process for funds, then we think it will be successful.

I think the other thing we wanted to emphasize in all of this is that there's a great risk, and a great reward I guess, in the process that you're undergoing today. You've invited the Mississauga Board of Trade. I'm not sure if we're a labour organization, a business organization or a community organization. You've invited the Ontario Federation of Labour. They make no bones about who they represent. The real risk is to let any one particular interest group win the day, to let any one particular interest group drive the bus. There's only one client out there, the communities that each of the members here represent. I'm not sure that the needs would be the same in your riding, sir, or in your riding, madam, but I would suspect that the people in those communities would have an awful lot to talk about that's in common as far as training and education needs go.

I think the only other thing that we need to bring on board here, and I mentioned this at the outset, is that so far this whole discussion has not yet attempted to dovetail with what the Ministry of Education is doing. The Ministry of Education has had an ongoing program called the restructuring initiatives that started in 1988 and most recently seems to be zigging

and zagging a little bit. We're not sure when it's going to come out with its recommendations.

But it would seem to me that it's paramount that both the OTAB organization and the Ministry of Education make some attempt to dovetail the kinds of things they're doing so that when the Ministry of Education says, "We can't do any more with this individual we've been working with," there's an opportunity for this guy to step off that ministry's responsibilities and on to what OTAB has to offer. At the present time the whole procedure has been remarkably bereft of anyone from the Education side. Surely if we're trying to prevent overlap and prevent gaps, we need to do that.

Not to be all serious, we've made the comment in here that lest we forget, the people of Ontario are the government of Ontario. So any place we make a reference there, we can just sort of put that in.

Last but not least, on the matter of accountability, we're all old enough to know that we've lived through a time we would probably call the golden era of the post-industrial revolution. We've all benefited from it. We've all bought two cars. We've all had day care. Not all of us; I shouldn't say that. It's presumptuous at best. But we've certainly seen where a vast majority of society has been able to benefit from the wealth generated in the 1950s, 1960s and 1970s.

The 1980s and 1990s have seen us reach our zenith and start to look down the ugly side of the consequences. I think part of the consequences we're having to deal with today is the fact that we may have created the impression, by the quality of life that we provided for people who fell through the gaps, that like Dumbo we didn't have to flap our ears and fly; all we had to do was hold on to the magic feather.

1520

That isn't the case today. We know that. We know that if people are going to succeed, if our society is going to succeed, each of the people in it has to contribute to the society as a whole. I think OTAB suggests that we should be investing in those people, and we agree, but we think there should be an understanding of a social contract there, that those people now have an obligation, and indeed the LTABs have an obligation, to make sure that the training they're providing is going to turn around and be reinvested in this society and create a realistic return for us.

We don't have to go to the lengths of John Kenneth Galbraith to do that, but certainly he's legendary for taking government-funded situations and saying, "Yeah, there is a real return here." The return on education that he proposed in the UK, for example, was somewhere around 14%. He said, "For every buck you spend, even though it takes 20 years, you get it back." There are lots of studies that talk about that. We think OTAB has a responsibility to hold the programs up to the light and make sure we're getting a return on our investment. That's the ultimate test of accountability.

In summary—I guess it's there for you to read—we're very delighted with the initiative. We think OTAB has a key role to play in liaison coordination, in making sure that LTABs are accountable. We think the organizations that are closest to the real labour needs out there are the LTABs, and to that extent they should play a major role in the development and delivery of programs and the evaluation of their effectiveness.

We wish you every success in the rest of the hearings. We welcome your questions and we hope in 10 years' time you produce some real results.

Mrs Cunningham: Thank you very much for an excellent presentation. I'm very happy that you've been so specific because it gives us an opportunity to put forth amendments as we agree with you.

I noticed that you emphasize in your amendments that both the private and public sector trainers should be recognized in the act, and I'd like you to address that further. Perhaps you could tell us why you felt the need to do that. I also notice that in your amendments, a number of them, I think as many as five, probably more, you've added, I think for strength and recognition, the local training and adjustment boards. I'm wondering where the emphasis came to do that as well.

Mr Budd: Why don't you take the first one and we'll deal with the second one?

Mr Rosen: As regards the inclusion of the private and public trainers representation, we feel that all the training resources of the province should be utilized in this process. The committee of presidents of the community colleges, in dealing with the local board hearings, submitted quite an extensive paper where they found a place for all training resources in this process. Naturally, as a result of that, we felt that there's a great necessity that both the private and public sector trainers be represented on OTAB.

That sort of takes us into the second part of your question. We very definitely stress that the autonomy, where this thing has to run from, is from the bottom up, from the local board to OTAB. That's why we've made those suggestions in the act.

The reasons for it are many. First, it is only at the local level where the needs of the particular community can be best served. Secondly, and perhaps even more importantly, we found in the hearings we've held and the meetings we've held with all the stakeholders, and I would say almost a magic thing that doesn't exist at the OTAB level, that all the parties which attend feel reasonably confident to be able to serve and represent their community as well as representing their particular interest group.

I am satisfied—I guess as my hair grows greyer I've become less and less of a cynic and more of an optimist—that in our area and in the meetings we've held we've been able to take off our hats to a certain extent and place in the forefront the service of the community. Labour's done it, business has done it, the trainers have done it—we've all been able to do it. We are sort of sitting and saying that when we appoint an LTAB, if we're given that privilege, we expect that everybody who'll be sitting on that board will take on the responsibility of representing every part of our community.

Mrs Cunningham: Could I just follow up there? When you said labour's done it, has labour supported you in the recognition of the private trainers?

Mr Budd: Rather than speak to that, I want to clarify that. It's a good question, but let's just clarify it a little bit. I think what Martin is speaking to is a quality or a characteristic of the discussions we've had so far, not so much a consensus on a particular issue per se. We've been involved in a number of collaborative discussions involving anywhere

from 80 to 150 people, and the number we've been involved in is included in section 2 of our presentation.

If you go through those processes and you spend the six, seven, eight hours rubbing elbows with someone who's there on behalf of OFL or someone who is there on behalf of the Caledon chamber of commerce, or for that matter someone who's there on behalf of Halton and Peel Industries Training Advisory Committee, at the end of the day there's considerable consensus on the directions we should go in; that is, that we should go with a fair amount of direction from local boards.

Now, as to whether it should be private and public sector funded, we're satisfied that will be worked out by consensus, provided the local boards have a fairly significant role to play. If in fact a particular community is dominated by the mining industry, I don't know that there are going to be many private trainers around. Maybe the private trainers are just not finding much opportunity there and it'll have to be public training. But as long as the understanding is, the implicit concept is for equal opportunity, then I think that's the objective we try and express today.

Mrs Cunningham: I think you've gone a lot further than that in your recommendations. You have said private trainers.

Mr Martin: One of the criticisms that has come forward with regard to this legislation is that we actually are considering divesting the central decision-making and authority around spending money on training and retraining. It's actually interesting to hear you say you think that's good, that it is the folks down in the trenches and the communities doing it, who are closer to the action, who can decide more adequately and appropriately what are the needs and what is the best way to deliver on them.

From my own experience as well, it seems to me that the criticism is that there's no accountability, then, on the part of the elected politicians, so how do the people get to the people who make the decisions? I live in the community and people know where I live and know my phone number and can call me at any time, particularly where it concerns the spending of public money and where they think it's inappropriately done. Would you like to maybe comment on that, on that sort of train of thought and criticism, a bit further?

Mr Budd: I can speak to that. I think the concern is a legitimate one. I guess our feeling is that the LTABs should be directed by and should have to qualify according to legislation established by OTAB. We'd be quite happy to see OTAB establish the terms of reference by which LTABs operate and then to scrutinize that process to make sure there is accountability. In the event that someone is not performing in accordance with the criteria that are established, then you take the appropriate actions to remedy the situation, whether that means removal of the individual or changing the scrutinizing process for applications for funds. We really think that's important for OTAB to do.

I don't think there's any discussion here today that the LTABs be given a bagful of money and run rampant through the community. I think we are saying, though, that they should be allowed to direct the training at a local level with criteria and with terms of reference established by OTAB. You would still be the body that's accountable, but also you would have some strings, if you like, some control over the

process. The application for funds we think still should come back to a central organization for your approval. Does that answer your question?

Mr Martin: It certainly clarifies your position a bit more on the issue.

1530

Mr Offer: Thank you for your presentation. I think all members here are becoming well aware of the tremendous work done by the board and your involvement, not only in this committee but in other committees and in submissions such as this, because on your submission I can tell you that you have really brought forward many of the concerns that we have been hearing in the first three days of this committee around the legislation, and have done so in a way, not only in words but also in analysis, as to where the changes should be in the legislation.

That leads me to my question. You speak very much about the need for accountability and the establishment of LTABs and their paramountcy, I believe. We certainly agree with you. The problem we have is that the legislation doesn't give that certainty to the many groups such as yourselves and others in the community that LTABs will even be formed, where they will be formed, what the criteria for formation is and what the reporting mechanism is. It all seems to be left by regulation. To us that is a major cause for concern.

The question that I have dealing with LTAB is, in the event that there is a disagreement between LTAB and OTAB—let us say an LTAB has been formed—what happens if there is a problem in communication between LTAB and OTAB? Should there still be some method, some line that the local community could go, after looking at the dispute with OTAB, to the minister involved?

Mr Budd: I'll be candid. For myself, we haven't gone that far. We haven't crossed that bridge. That's a good thought. I don't know whether it means that you would formulate some kind of review process involving representatives from different organizations. It's a good thought.

I guess the encouraging thing about it is that this is exactly the kind of process that we've experienced every time we've got together. What we've tried to convince people of is that it doesn't matter what whipping boy you want to pick today, you're not going to solve it by having people come in and hurl bricks at each other across the table.

The format we've suggested in a number of situations is that you're allowed to come in here and identify a problem, but you're not allowed to name anybody, and before you leave here today you have to take something off the table that you can fix. We really think this partnership idea is important. We don't think you get anywhere by saying, "You'll do this," or, "He can be counted on to do that." We think that's a recipe for failure and for fighting and for a colossal waste of time and money.

Mr Offer: But the success or indeed the failure of this system will rest with whether there are effective LTABs in place and operating.

Mr Budd: If I put my Hazel McCallion hat on, I'd invite you to Mississauga because I'm sure we could work it out. But to take it a little more seriously—

Mrs Cunningham: You mean this wasn't serious?

Mr Budd: I'm sorry; not all the time.

Mr Offer: Remember, there's Hansard.

Mr Budd: To take it a little more seriously—
Interjection.

Mr Offer: We'll be on TV next week.

Mr Budd: Hazel may hit me for this, but the point is that there are things to be worked out, and we don't know the answer to that. We think it's a legitimate point to raise and we think that the legislation's obviously going to have to deal with it. But we'd be a lot more confident knowing that there was a recognition of LTAB and a desire to conciliate between OTAB and LTAB, than a situation where OTAB reigned supreme and pulled the reins on the reindeer. We don't think that'll work.

The Vice-Chair: I'd like to thank the Mississauga Board of Trade for its comprehensive and excellent presentation today and each one of you for taking the time to appear here and express your views on behalf of your association. I think you did a very excellent job of doing so. Mr Bryan, it's very nice to see you again. I haven't been to Mississauga for a while but next time I'm there I'll look you up.

Mr Bryan: A standing invitation any time.

The Vice-Chair: Thank you very much.

CHAMBER OF COMMERCE OF KITCHENER AND WATERLOO

The Vice-Chair: The next scheduled presenter is the Chamber of Commerce of Kitchener and Waterloo, if you would come forward, please. You can just take your place and identify yourself for the purposes of Hansard and proceed with your presentation at your leisure.

Mr Ab Nightingale: My name is Ab Nightingale. I'm a business owner located in Waterloo, Ontario, a professional engineer and also a director of the Chamber of Commerce of Kitchener and Waterloo.

First of all, I'd like to thank you for allowing me to speak to you today. I've also been asked, by the way, to speak on behalf of the Chamber of Commerce of Elmira and Woolwich as well, which is a community just north of us. We represent them on a number of major issues such as the local training board.

I must say this whole concept of creating an Ontario Training and Adjustment Board has created a good deal of discussion and concern in our community for at least the last two years. We, of course, have been aware of the proposed legislation and through our various committees have been discussing this for some time now.

As we see it, we truly have a challenge ahead of us to constructively and fairly deal with all the issues required to establish a local board to interface with OTAB that will in actuality meet the needs of our community. So my address today actually is to deal more with the impact of OTAB on the local training issues. Bill 96 itself makes really only a passing reference to the local boards and, from our community point of view, we think the local training and adjustment board, or local board, as I believe it's now referred to, has major impact on how OTAB itself will operate.

Let me begin by stating that the chambers like the concept of OTAB and basically support the program. However, we do have some major concerns towards its implementation, its

ultimate modus operandi and whether our communities will truly be represented on the proposed structure.

There's no question about the need to streamline our systems for training. However, we must ensure that the resulting OTAB is, first of all, cost-effective and efficient and, secondly, does not completely destroy the network of volunteers who presently make the existing system work.

Also, we should not be performing major surgery where minor surgery would be better. Within the concept of the new local boards, we should be looking at utilizing as much as possible of the existing system as volunteers and trained staff and concentrate on injecting new ideas and controls to accomplish the goals of the new system. To do otherwise, in our opinion, would create chaos.

A few corollaries to this aspect of OTAB are: We must ensure that the existing training structure will not be dismantled or abandoned until the local board is in place. There is some major fear among the training organizations within our area that that could very well happen.

Once in place, our local board must endeavour to utilize as much of the present training structure as possible. Volunteers and workers presently involved in training in this area are some of the best in the country, and let's not lose them.

Our chambers want to, and must, play an active role in shaping the form and substance of the local board as slated for our community. It is important to be cognizant of the fact that our chambers represent at least 40% of the businesses in our community. Quite clearly, no other organization speaks for so many businesses.

Therefore, to properly represent the business community, we would suggest that 40% of the local board seats available for business representatives should be filled by the chambers of commerce.

Private sector trainers must be allowed to participate in training. They are a valuable resource and for certain programs have better equipment and trainers than those available in the public sector. This relates to cost-effective and current training techniques. That is not to say that public sector trainers are ineffective or unwanted; quite the contrary. We are only saying that we need both since both have a role to play. There's been a lot said that the private trainers should not be allowed to participate in any programs run under OTAB, and we're very much concerned about that.

Also, job training doesn't start with the worker's first job. Thus, our local board must continue current efforts to start training students at an early age to ensure that upon graduation from our high schools they are qualified to move directly into the workforce without further training. We therefore strongly support the need for representatives from education and training sectors on the local boards and on OTAB itself.

1540

We also have a major concern about the proposed labour representation on the local boards. It presently is to mirror OTAB. The fact of the matter is that the employees of most companies in our community do not have an affiliation, directly or indirectly, with the OFL or for that matter with large unions. In fact, the majority of employees in this community work for non-union companies or belong to closed-shop unions or associations which have no affiliation with the OFL. So this is not a

concern about having labour representatives on the board; it's a matter of who those labour representatives are.

In fact, if the OFL fills more than one labour seat, the local workforce would not be properly represented, as our records would show. We must therefore stress our concern that our local board must truly represent our community in all respects, and the OFL should not be permitted to arbitrarily assume it represents all union or employee associations in our community, nor should it be permitted to occupy more than one seat on our local board unless the local community wishes that to be the case.

We must absolutely ensure that the worker or employee is not lost in the struggle for power on this board. The training needs of the worker or the employee, whether employed or not, must remain the central issue and goal of this new board.

There's some concern, particularly in this economy with the high level of unemployment, that the unemployed really may lose out on some of the training programs that are available, as in fact is the situation that is in place right now. Therefore, as far as OTAB is concerned, we're concerned that the mechanism for nominating the labour market partners must be clarified and we must ensure that training is available to all the workers at the local level.

Regarding the time frame, we're concerned that the local boards be given sufficient time, but not excessive, to allow us to properly form our local boards. We've already been talking about this for two years. We have a local facilitation committee for setting up the local board. I believe you'll be hearing from the chairman of that board some time next week. But I think it's important to realize that there are a lot of issues to be discussed and expanded upon here. To put a very tight timetable on forming the local boards I think would be wrong.

We also have some concern or some lack of clarity, perhaps, on the sectoral training issue. There seems to be some confusion and disagreement about how this will operate; however, the decision on the issue will have a major impact on the makeup and modus operandi of the local board. As an example, how will the sectoral groups, such as those representing the auto, farm and construction industries, interface with our local board? Will their training requirements be established outside of our community but use funds otherwise earmarked for our community to finance those programs, or will these groups receive financing through other channels?

Since there seems to be a large number of these sectoral groups, the situation could develop where our local board could ultimately have very little to say about the allocation of training dollars in our community. We would effectively be dictated to by the sectoral groups.

Also, will the provincial concerns dominate or override the local community issues? There appears to be a real danger of this taking place. I believe other speakers have addressed that same issue.

We must emphasize the requirement that the formation and direction of our local boards reflect the needs and composition of our community. We're very concerned that demands from OTAB or other organizations from above may overshadow local needs. The local boards must be responsive to local needs.

Again, how will the local board be accountable for its actions? Again this requires clarification. Accountability must, of course, be in two directions: first of all to the government, which is providing the funds—are the funds in fact being properly spent in accordance with the government's requirements?—and secondly to the employees and their employers to ensure that the needs of both are being met.

There's been some talk about new taxes or levies to cover the cost of this training program. Our chambers are strongly opposed to the introduction of any new levies or taxes to support this program. Businesses are already being crippled by a heavy tax burden and other government programs where the cost is passed on to the employer. The reality is that there should be absolutely no requirement to increase taxes to support this program. If the program works as proposed, there should be lower administrative costs, cheaper programs and a completely more effective system. To me, and to our chamber, this does not add up to more taxes.

In summary, then, our concerns relative to OTAB and the impact on the local boards are: Do not destroy the existing network of volunteers and staff. Keep the training programs and instructions in place until our local board is up and running. The chambers of commerce must be involved in setting up our local boards, and in our area this in fact is already happening. Private sector trainers must be involved in the training end in our local boards. The education and training sector must also be involved in our local board. The OFL must be restricted in the number of seats that are allocated to it on the local board. Indeed, this should be the decision of the local labour force as to what representatives it wants on the board. Sufficient time must be made available to allow our community to select the right people. Interface with the sectoral groups must be clarified. New taxes or levies are not supported.

Also, as a closing remark, I have seen the paper presented by the Ontario chamber. Our chamber supports their presentation as well, so I won't get into some of the other special issues they have raised, because that's just a duplication of effort.

There's another issue which has to be addressed which I did not address here: the boundaries. In our area this is a major concern. There's very little can go forward on the local board development until such time as the boundary issue is solved. For those of you who are not aware, the Waterloo region has been selected as the boundary but will include part of Wellington county, which is Guelph and Stratford and that surrounding area. The community of Guelph has applied for separate recognition as a local board. The community of Cambridge has done the same thing. The community of Stratford prefers recognition as a local board. The community of Cambridge has done the same thing. The community of Stratford prefers to be involved with a more rural-related board. We have these issues going on in our area and I'm not sure whether it is the intent of the new OTAB organization to resolve these or leave it to the local communities to resolve them among themselves, which of course is one option.

Thank you for listening. We look forward to positive action resulting from these meetings and look forward to OTAB coming in place and being a very effective tool towards training.

Mr Sutherland: Thank you for coming today. I only wish you had brought us some maple syrup from Elmira.

Mr Nightingale: I have some in the trunk of my car.

Mr Sutherland: Thanks for your presentation. We certainly know that Kitchener-Waterloo has been an innovator in many ways, certainly through its public institutions there, public education facilities, the universities and colleges. I know the area has been featured lately in a series of articles about how it's responding to the difficult times.

I just want to talk a little bit about the local boards. You mentioned that they need to be accountable to two groups, the local community and the provincial government giving the funds. I think it needs to be clarified that it actually needs to be accountable to three, because the reason there isn't a lot of reference to the local boards in here is that OTAB by itself cannot set up the local boards. OTAB, in conjunction with the provincial government and the federal government, through the Canadian Labour Force Development Board and Employment and Immigration, will be setting up the local boards and talking about how they will operate and solving that issue that I think every community is concerned about, the boundaries issue for those boards as well.

I think that needs to be made aware of, that OTAB needs to be established first before the discussion into the local boards can take place with those other organizations too, because it has to play a role in there.

You also mentioned about the public and private and ensuring there's a role for that. The legislation does make reference to both in paragraphs 15 and 16 of section 4. Paragraph 15 talks about the diversity of the educational resources and then 16 recognizes the fact that there is a strong investment in our public services, and so we need to recognize that fact as well in how we do it. You talked about making sure the unemployed didn't get lost and I assure you that in the opening, under the purposes, clause 1(b) talks about "workers and potential workers." Also, one of the councils being set up is of course entry and re-entry for those who have been out to be in there.

I just wanted to assure you that some of those issues you've expressed concerns about have been addressed anyway. Hopefully, they'll be addressed to the satisfaction of the chamber.

1550

Mr Nightingale: Thank you. The reason I concentrated on the local issues was because there's not an awful lot said and I don't like going into arrangements where it says, "We're going to do this and then we'll talk about these local things after." I think it's important that everyone recognize the concerns of the communities that the local issues be properly addressed and not just be sort of thrown into the pot without some direction.

Mr Sutherland: I think many of us, as we've heard from our own communities and the discussions that have gone on, would like to have them resolved that way, but because the local boards are a joint effort between federal and provincial, we have to wait until we get this legislation through before we can deal with all those issues. But I know all of us will be hearing in our communities, if we haven't already, about all those local issues and how they play out.

Mr Ramsay: Mr Nightingale, thank you very much for your presentation. You're echoing some things that I've heard

in the last couple of days, from other local groups especially, and I share your concern that you brought to our attention again about the establishment of the LTABs and the need to use the existing bodies that are out there. There are some very effective groups in some communities. There are the federal CITCs. In other communities there are other organizations that have, on their own, because of various needs in the community formed sort of LTABs already.

The concern that I guess you're expressing and that I've heard expressed is, "Let's don't throw the baby out with the bathwater because we've got this other model that we've devised in Toronto," and just impose that on the community. How would you suggest that we make the best use of the organizations that have been established in our communities as we move towards the establishment of the LTABs?

Mr Nightingale: I think that goes back to the comment I made about not dictating what the community organizations should be. In our area, actually going back as far as five years ago, we recognized the need for coordinating the training programs within our area and in fact started what was called a Partnership 2000 organization. The new facilitation committee for the local board is in fact made up of former members from that committee plus a few others who have been invited to join in. The mandate of that group was to try and coordinate the training through the existing training organizations, and I think what we would like to see is at least some semblance of those groups still being in existence after the local board is formed.

Mr Ramsay: My main concern, and we're hearing it from the government members, is that again, as I called it with the minister the first day we were here, we're really being asked to make a leap of faith that basically, "Trust OTAB once it gets established to establish those LTABs right across the province."

There's really nothing in the legislation that specifies how the LTABs will be organized. There's a lot of background material, and I find it good to be working with two of my colleagues who are now focusing on this piece of legislation but who really haven't had all that background material. I found that I was filling in the blanks when I was reading the legislation, but when you read it sort of like for the first time, it's really quite a shell. There's really not much there, and that's so very scary. We really don't know what the LTABs would look like. There are a lot of suggestions we've seen in background material, but it's not there.

I was just wondering, would you feel more comfort if there was a little more I guess delineation of what the LTABs would look like, where they'd be and how they would work in the legislation, rather than leaving that to regulation somewhere down the road?

Mr Nightingale: I think that's partially what I'm saying or suggesting, that I'm concerned there is not enough definition of the local boards in there. Based on my experience, the fact that we've spent probably three years now discussing what the LTABs are going to be, that that will then form the groundwork for what the OTAB will go to when it does in fact come into power, if that's the right word, if that's the case, then we are concerned that what was previously proposed is not really acceptable to us.

Mr Ramsay: Okay, and also, because we've had so much time to work at this and worked on it for so long, surely we should be bringing some model into the legislation so we can look at it now.

Mr Nightingale: I would think so. I'm disappointed that not more is said about it.

Mr Gary Carr (Oakville South): I agree, as I think everybody in this province does, that we need to have better skills and training in this province. I'm a little concerned, because I don't think the setup is going to allow small and medium businesses to access the training that they need. I may be a little bit sceptical, although there is a good side to that because I don't think there's any doubt that in two years, when the next election comes, this government will never be elected again. So the changes that can be made when the board is set up are such that I think that somewhere down the road they will get it, and it will probably be about two years before things get up and running anyway.

I want to discuss less about the particular setup of OTAB and just ask you, from your perspective as somebody representing business in the Kitchener-Waterloo area, if I were to ask you what skills your membership would like to see, would you be able to give us an answer?

Mr Nightingale: I could not give you a definite answer right now, but I will tell you that under the current organizations, we are continually surveying the businesses in our area to establish what businesses are coming in. There are community and government committees that are discussing this on an ongoing basis. There's handholding between the businesses, labour and government as to what kind of businesses we are trying to attract into our area; if we're going to attract these businesses, what kinds of training are necessary; working with the boards of education and trying to gear the educational system to training students now to work into those industries.

In our area in particular of course, there's a major change in the type of employee we're looking for and the type of training he or she needs. We no longer need a lot of rubber workers, if you've been listening to the news. We're really out of the brewery business. We're out of the alcohol business. So there's a lot of retraining going on now. In fact, there is a major program going on now retraining the many people who have been laid off from some of these larger companies that are leaving our area. There are new companies coming in with different technology and so on, and it's those people we're trying to train for, but I don't think you can sit here today and really know what you need down the road.

But the system has to change. In my experience, by the time we get the statistics from Statistics Canada or Immigration Canada, it's already too late to do anything with them. So we do have to in fact be forecasting based on what our community is going to need down the road. Statistics come in too late to do anything with them. It's like the unemployment situation. We were, through one of our organizations, pushing to get funding for training the unemployed a year and a half before it happened. The government finally reacted six months after the fact, and of course there are a lot of people now who are unemployed and have now lost their unemployment benefits and cannot take advantage of the training programs that

are available. I think a local board can address and deal with this kind of issue a lot more effectively.

Mr Carr: You're not alone in knowing what is going to be needed, but I think one of the problems, one of the failures of business has been in identifying the types of skills and planning ahead. I know it's difficult to do, but I think we've failed in that area. You're not alone; talking earlier this week to the lady who's going to be involved with OTAB, she wasn't too sure of a lot of the skills that are going to be needed anyway.

I want to tackle another issue. You talked about training and the tax. In my riding, I had a company by the name of Tridon with 500 employees in the Burlington-Oakville area. They left and went to the United States. It was automotive, so it wasn't free trade. The OFL talked about some of the reasons jobs were being lost. Deregulation, it didn't have to do with that; it obviously wasn't privatization. They left because they said the final straw was the employee health payroll tax. We lost 500 jobs, CAW jobs as a matter of fact. Yet the OFL came in and was saying we should be taxing businesses to pay for training. You mentioned it, but what do you say to the OFL, which says that business can afford to pay more taxes?

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Mr Nightingale: The fact of the matter is, being a business owner myself, that we cannot afford it. If we were trying to deal internationally, as an example, the taxes the Ontario business have to pay are just crushing us. We just can't survive and pay the taxes that we have to pay, and to put training tax on top of what we're doing now is just too much. I don't think it's necessary. As I said, I think there are already sufficient funds in the pot, or if OTAB is run properly, in reality it should cost less than what the current system is costing us.

The other thing to recognize that is not often recognized in smaller businesses with, say, less than 50 employees, which in our chamber represents something like 80% of our membership, there is on-the-job training going on that is not reported. Most smaller companies don't have a separate item on their statements saying, "This is training and we spent so much time training."

If I bring in an employee, as an example, a young professional engineer, the number of hours I spend with that engineer, over the first two years of his employment in particular, training him into his job don't show up anywhere in training costs. To me, that's something that's missed in this whole equation and I think a lot of small businesses are in the same boat.

Mr Carr: How would you assess, in your area right now, what's happening with training? How would you rate us: good, bad, average, excellent?

Mr Nightingale: I would say it's very good. I also happen to be chairman of the training advisory council in the area, so this may be a slanted statement.

Mr Carr: It's excellent then, I'm sure.

Mr Nightingale: From the funds going into CITCs, the last few years we've had \$2 million spent primarily on smaller businesses. That to me is a major feather in our hat because five years ago I think we spent \$200,000 on training. So there's been a major move.

We have something like 350 companies, primarily small companies, involved in these training programs and that's not

to mention some of the other agencies in the area that also look after that. There's a lot going on in training in our community, and I would like to see that is maintained. Part of what I see through OTAB is that it will not be maintained. I think the smaller businesses in particular will be affected mostly, and a lot of the new businesses coming in, by the way, are smaller businesses; they're not bigger businesses.

The Chair: Thank you to the Chamber of Commerce of Kitchener and Waterloo and to you, Mr Nightingale, for speaking so effectively on its behalf. You've made an important contribution to this process. We are grateful to you. We trust you'll keep in touch and we wish you a safe trip back home.

ONTARIO COUNCIL OF REGENTS

The Chair: The next participant is the Ontario Council of Regents, spoken for by Richard Johnston, chair.

Mr Richard Johnston: Hello, friends and associates, and old colleagues as well.

I would just make a couple of comments about the Council of Regents for those of you who weren't at the last session I was at. You can see if I'm consistent. I certainly never was as a politician, because it was not necessary or required, but these days I try to be.

The council is, of course, the governing body for the community college system which, one could argue, is the largest institutionalized training organization in the province. We have 130,000 students in applied post-secondary, about an equivalent number in training programs, many funded by the programs that will soon be in OTAB, and about 800,000 to 900,000 people who are involved in part-time studies, most of which are applied, most of which are upgrading. So about a million people are participating in a system of institutions that were established in the 1960s.

In the Council of Regents, one of its primary jobs is advice to the minister. Usually we've confined ourselves to the MCU side of things that the minister does, but because the colleges are so involved in the hard training side and not just the post-secondary side, he asked me to get involved in the OTAB project.

Frankly, when OTAB came forward, I was sceptical and not convinced that it was the appropriate vehicle to develop. I am much more one for direct control by government, as some of you may recall, and felt that at this time we couldn't afford the time that was going to be necessary to establish this kind of body to be able to come to grips with the training needs which are becoming so desperate in our society at the moment. I got involved and tried to help, and I think I've become converted, although I have some qualms which I'll raise for you today.

The first major concern I had was that all our training was taking place separate from consideration of the educational framework of the province. I was afraid that we may end up with a balkanized training system; that is to say, individualized training for specific skills that had no relationship to the generic skills acquisition that's necessary in our society and which I talked about a few days ago at another committee. If we want to be able to compete, then the general level of education has to rise in our society, not just the specific training that we provide people. I'm afraid that with the privatization, if you will, of responsibilities for training, there would not be that link. I'm less concerned now because of representation

that's now provided for trainers and kinds of input that are there, but I'm very concerned that that link be maintained or I think we will throw a lot of money away without the long-term effect.

The other thing I was concerned about is that the format that was established—and you're going to hear it a lot at this committee—is that everybody will come to you asking for more, more representation for their group, more consideration for their locality, for their particular side of business or labour, whatever it may be, and that you're not going to satisfy them when they try to draw partners into this kind of participation.

I've been on the education training steering committee now since it was established. I can tell you that that was the case in that group. They may or may not be before you before your sessions are over, but let me just say there are five of us on this group: universities, the colleges, boards of education, private trainers and community trainers. These are groups that have been at each other's throats for years, all fighting over the same territory, always fighting over the same dollars, and the first thing we were asked to do was to come up with a consensus candidate to be on the local board's travelling road show. It was a bloodbath and a very tough experience for us all. We got through it; in fact, from that, actually got through before any of the other groups the nomination of candidates to the board itself. When we did nominate them, by the time we got there, they were consensus candidates and there was no real blood-letting. It was a very, very positive experience.

I would never have predicted nine months before that those groups could talk with each other in a civilized fashion in a room, let alone come to that kind of hard consensus about who would speak for them at the table at OTAB. That is the most positive thing I can tell you that I've through in this. It's been a real eye-opener. I just came from a meeting of that group, which is looking at the reference group structure and other things, and the linkages that are there now could never have been formed if we hadn't been forced into this process.

So if nothing else, groups that have normally had great antipathy towards each other are now actually talking to each other and saying: "Of course there's enough training room for us all. The colleges don't have to do it all. Boards of education shouldn't feel that they're going to be shoved out of adult basic education. Community-based groups do things much better than either of our sets of institutions in all sorts of ways, and the private vocational trainer is also going to have a major role in the future." All of a sudden, those groups are now actually talking together in ways which I think are very positive.

But then I was asked by that group to go and work on the mandate-developing committee for OTAB. It was at that committee that we went through a much tougher experience, because on that one we had one representative from labour, one from business, one from each of the equity groups and myself from trainers. We tried to come up with a mandate we could all agree to propose for OTAB. That was an awful experience, and I still feel badly about the whole thing. It raises my major concern with where OTAB is going for the future: that's to say that the inability of labour and business to work together is profound. It's built on 50 years of confrontation bargaining tables, or trying to stop bargaining

tables from ever happening, and it's very hard in the space of time we have to move people from those kinds of cultural presumptions, whether in a business or labour position, to work together in a way that's going to get them through many of the difficult choices that have to be made, whether it's what sectors to emphasize or how you get money into small business, which is unrepresented by labour, and other kinds of things. It's going to be very hard for them to deal with those issues in this next year, when they're going to fight, in my view, over every i that needs to be dotted and every t that needs to be crossed instead of looking at the big needs we have.

My concern is that it would have been great if we'd had much more time for them to get used to working together and build some trust. That trust is not there yet and I'm very worried about it in terms of the effectiveness of this group in the first year, especially given the importance of getting a major change in our training culture as quickly as possible.

That being said, I am now also convinced that you can't do it any other way. Government can no longer just presume to direct these things itself, and we have to say to the primary market partners, "You are much more in touch with what you need on your shop floor," whether you're a unionist who knows what your coworker doesn't know about the kind of machines he or she should be operating, or whether it's business saying, "If we could only move to this kind of computer-based technology, we would be able to compete." They can identify so much more quickly than government ever can. The previous person in this chair was saying how hard it is to predict. Well, they are the closest at predicting that you can see.

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I look at the successes of the college system, which I now consider to be many, as I come to this job for the last year and a half. It's been their connection to advisory committees that has really made their programs work and had their high placement capacity over this last number of years. Whether that's the business people on them, the labour people, the hospital people, technologists or whatever, that's been the relevance that's made them able to respond to local needs. And that's the key to this operation: You have to ultimately empower business and labour to try to identify those local needs and the provincial needs—and in a governmental context; whatever regime is in power at the time should set the context. But without that, you'll not be an effective developer of programs.

So on the one hand, I'm nervous about what's coming because of the fights that are likely to be there. On the other hand, I really don't think there is another choice. When I look at other models, from European jurisdictions and other places, the exclusion of the equity groups was a major error, in my view, in their development. That third force, as a touchstone for those two groups, is just crucial.

I'm delighted they brought two trainers on to the board, because again, most of those boards have not used the practical experience of people who are doing training. Although we may want to throw the baby out with the bathwater in terms of some of our training institutions—I think some people have that kind of notion—I think instead we can actually build on the things they've learned over the years as well.

So I'm pleased there's that third force on OTAB to try to influence what might be self-interest driving things by both labour and business from various kinds of perspectives.

On that basis, reading the Walkom column this morning in the Star, I concur that there is a danger of a lack of accountability. If I were a legislator sitting here today, whether government or opposition, I would look very closely at the accountability mechanisms built into this law and whether they're adequate. Ultimately, this group cannot be off there operating on its own in a vacuum: It must be linked back to the legislative process. I think it is, in a lot of ways, but I think there could be more done about openness of meetings and information flow than is perhaps laid out in legislation at the moment. Rather than leaving it to regulation, you may want to say something about that, so that tie-ins are appropriate and the connection to government policy of the day is really made very clear.

Appeal processes, I believe, need to be better spelled out than they are in the legislation. You might also want to think about tinkering with that in terms of requesting that the regulations be pretty specific around appeal processes that should come forward.

I would ask you to consider very seriously the importance of these reference groups. They may seem to be nothing at all, but the culture I'm talking about that has developed within our education steering group hopefully is going to continue in the education training reference group. The two people who are on the board can't possibly represent the five interest areas individually; they have to try to do them as a whole. They should have an accountability link to those reference groups, to make sure that all the people from disabled groups feel the person on the board is representing their interests, or all the people from the private vocational trainers feel the trainers on the board are representing their interests as well as the colleges, the public boards etc. I think you should look at that mechanism and decide whether you think it's as strongly developed as it needs to be. I think that is crucial to maintaining the integrity of OTAB.

The other thing I'd suggest—I know it's not determined yet—is the question of voting power. This can be an arcane debate or the kind of thing the whole thing falls apart on, and I wouldn't want it to be that. All I want to say to you is that somehow there has to be recognition of the primacy of the two partners, labour and business, to make decisions, yet you cannot have a system that excludes those other partners from influence. If you do that by setting up an executive committee or something like that for taking votes and exclude all the equity partners, then you're going to deny the accountability pressure they can put on the two major partners.

I would actually recommend that you consider, both as government and as a committee, talking a little bit around the notion of not just a double veto, as some people are looking at, but needing a triple majority, that for any policy item that had to be passed, a majority of the labour people, a majority of the business people and a majority of the social equity groups and trainers together would have to be in favour of something for it to go through. I think this would be a wonderful way of keeping it accountable and yet not take the power and influence necessarily totally out of the hands of the two major partners. There are problems with that formula. As I say, I wouldn't want to hang my presentation on that, but I think

the notion of making sure those groups aren't excluded is really important.

The only other thing I'd say is that on local board representation I'm not sure we have to use exactly the same format as we have at the provincial board. All of our people in the education training group would love to be on the provincial board, but if you did that you would destroy the control by labour and business of what's going on at that provincial table. At the local level, however, there may be an argument for having more local trainers involved in the board to inform those local people about what the possibilities are in high-tech training and other kinds of options that are there. It may be that more flexibility needs to be involved, and that may be a good reason for it not to be laid out in the legislation at this stage. Perhaps, community by community, you might have a slightly different mix of players participating, depending on a lot of social demographic kinds of things.

I will finish by saying, before I take questions from you, if you have any, that the responsiveness of the system is key; that is, responsive to the needs of the market. I think that's its strength. Its accountability back to government is also crucial, because this will be the largest single agency ever developed, with the largest single amount of money in its hands to control that we've ever seen, and we'd better make sure the public of Ontario can feel confident that it has a way of being able to influence it, whether that's through open meetings or through reporting mechanisms back to the Legislature, some of which are dealt with in the legislation, but I suggest could even be strengthened if you chose to do so.

The Chair: Thank you, sir. Four minutes per caucus, please.

Mr Ramsay: Hello, Richard. How are you?

Mr Johnston: Not bad.

Mr Ramsay: What's surprising me today—and I hope it's not scary for you—is that I actually agree with much of what you've said today and have been saying these things. I'd like to ask you about one of the main points you made, because I have put forward a suggestion: this fear you have that I also have, that in the beginning, labour and business, because of past history, will not come together quickly enough to solve the urgent problems we have, yet we have to force them to work together. What I've proposed is that we work incrementally in bestowing powers to OTAB and start it off as an advisory group; then, as that relationship matures, start to give it more power. It's just an idea, but I'm wondering what you think about that, because you and I share at least the same concern about that initial relationship.

Mr Johnston: I thought of that a fair amount. I thought maybe that was the way to go; now I don't. I think the development of OTAB is almost too incremental already, in the sense that what are being turned over are existing programs, and the time it's going to take it to get away from the straitjackets of those particular programs we've been operating for years and find new ways of using those dollars—it's going to take a while.

I also think they've both been there in advisory capacities. Labour and business are both major institutional lobbyists, and they both have gone after influencing where those dollars should go for many years now. If we just gave this group an advisory capacity for the moment, I don't think it

would make any difference to the status quo. You almost have to take the risk of empowerment to force the change or you're going to get the fencing that is traditional between the two partners.

So I guess I now feel that, rather than looking at that as the approach, you should give the money and authority, but you've got to find ways to provide supports that enhance consensus rather than friction. That process is a much more difficult one to develop. I'm not sure I've got an awful lot of solutions for you.

Mr Ramsay: I share your pleasure at the success of the community college system. I think you're right: Those industrial advisory committees the different courses rely upon to develop their curricula are very effective, and I believe it's about an 80% placement rate that the community colleges have in Ontario.

Mr Johnston: Even now in the recession.

Mr Ramsay: Yes. So I think it's based on that. I agree with you, too, that somehow we need more flexibility in the composition of the local boards—I think that's exactly right—so we get a truer representation of what's happening there. I hope we could get some amendments on that.

The other area that I share your concern about—and there's not much in the legislation—is the composition and the powers of these reference groups. Again, there's not much there. Those of us who are familiar with the background material see what might develop, yet it's not in the legislation. It would be nice to see that developed, and I hope we could persuade the whole committee to discuss that and maybe put forward some ideas to do that. That's all I have, really, and I thank you.

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Mr Johnston: I don't know which of those things around the reference groups you can actually put into legislation, but I do think that as you look at the legislation you should be thinking about how the reference groups fit into this. We were looking at some of the potential terms and references just this afternoon in our steering group, and we were actually saying that there's almost too much detail in that, that you've got to let these things develop in some ways. Yet we were looking at some very good mechanisms for maintaining the connection between the board of directors' representative and the reference groups, the kind of accountabilities they should expect.

That was very useful, but it's not the kind of thing you necessarily want even in the regs, let alone in the legislation. But the importance, I was trying to say, of that reference group process is vital to the integrity of this group, so that people can have confidence in it.

Mr Carr: It's nice to see you again. I was one of the ones in the committee last week. When you made your presentation at the finance committee, you did an excellent job of outlining the fact that 80% of the students coming out of colleges get jobs—great statistics. You were pointing out that it's not only young people now; it's people going back part-time, and just a tremendous success ratio.

Knowing that there's no more money out there, regardless of whether it's the NDP, the Conservatives or the Liberals—I think you made that point too, and you talked about the underfunding, how some kids aren't going to be able to get

in, and not just kids but students in our colleges because of the underfunding—if you had \$500 million today and it was your decision, would you spend it on OTAB or would you put it into the colleges and universities?

Mr Johnston: That's a really good question. I'm not sure which is the cart and which is the horse, even now as I'm before you after a year and a half of looking at the college system pretty closely. I think you can argue that if you just threw your money into an educational institutional infrastructure, you'd be throwing money down the drain because they wouldn't change what they're doing, and they really need to change. Colleges, public boards, universities all have to change their *modus operandi*.

In some ways it's almost a blessing not having—the presidents will kill me for this—that much money at the moment because it's forcing us to rethink some basic principles. On the other hand, if you do the training, as I say, without a notion of how it's connecting, to the post-secondary especially, then you're ignoring the fact that 70% of our people are going to need post-secondary education in the next few years.

My sense is that you can use that \$500 million in a mix of ways, but one of the things that's got to be crucial is that the left hand knows what the right hand is doing and that the prior learning assessment work we're doing, for instance, in the colleges has to be linked into these training programs. It doesn't make sense to set up training programs in General Motors or IBM or through a union or whatever if people can't use that in some way to access the post-secondary institution, whether it's making a module of a course that might be offered in a college or whether it's finding ways to give credit for it to enter a college. Because we know they need the generic skills acquisition, we've got to tie those things together.

I guess I'm not really as concerned about where the money lies as long as the coordination is clear. In that way I would hope that colleges would be helping put on programs at General Motors and not just in the colleges and that you have people from IBM coming into the colleges to teach, that we'd have these crossovers and we wouldn't have to be so hidebound by where the bricks and mortar are or whether the money's gone to the Ministry of Colleges and Universities or it's gone to Skills Development, that kind of thing. I'm very hopeful that by letting practical people in the workplace—that is, business and labour—take the control of this money, they might actually force us to break down a bunch of those barriers that have existed for a long time.

Mrs Cunningham: Great to see you.

Mr Johnston: You too, Dianne.

Mrs Cunningham: I can't believe that I'm not going to ask you the question I want to with regard to representation. I'm not going to do it. I'm going to ask you another one. With regard to the point you made about triple majority, I'm wondering if you're saying we should therefore change section 30 to add that as a resolution of impasse.

Mr Johnston: There are flaws with it.

Mrs Cunningham: We're looking for a solution and you've presented it a little bit differently. We've heard of double majority a few times, but not triple, so we're just wondering how it would work.

Mr Johnston: Let me just tell you what the flaw is with it so you can deal with it. The flaw of the triple majority is that it is perhaps a denial of the right of the two major groups to be the major drivers. If, in other words, the combination of equity groups and trainers can hold up things that are being put forward by business and labour in a concerted fashion together, do we really want those groups to be able to stop them?

I would argue that you wouldn't want the trainers to stop it, but a combination of the trainers and equity groups, in majority, saying that this is not a good thing is maybe exactly the caveat you'd want. But it is a difficult call, and maybe it's more complicated and you don't even want to go to triple majority. Maybe you want to go to a double majority plus 50% of the other group, so that again the total numbers would be higher in terms of the requirements, and therefore if a couple of the equity groups went forward and one trainer, it could still go through.

I guess what I'm saying is that there's got to be, someplace in here, some recognition that you can't put the equity groups on, especially, without giving them some real meaty say, even if you're saying that the principal drivers are business and labour. That's why I offer it as a potential suggestion, although if I were sitting in your chair, I don't know if I'd move the motion at this stage. I'd really want to hear more input. I just throw it out as an idea that you may wish to throw into the mix.

Mrs Cunningham: That's fair.

Mr Gary Wilson: It's a real pleasure hearing your presentation when you hit so many of the important issues here in such a substantive way.

I want to make time for my colleague Tony Martin. I do want to raise an issue, though, that you touched on in some detail, which is your fear about business and labour working together. It's because it has come up so often in the past that I'm a little worried by hearing the opposition centre on that part of your presentation rather than your caveat, which was that there's no other way.

The other thing is that we're hearing some presentations that sound to me much more hopeful. Representatives we've heard from both of those groups, especially after what they've done so far—it means they can work together. Given that and the idea that even, I think, your generic training might be relevant here in that if people grow up in a culture or are trained or educated in a culture that suggests we have to work together, that there will be a payoff in that regard in the future—I'm just wondering whether you might comment on that.

Mr Johnston: I wanted to raise my misgivings, but also to indicate that is the only way to go. If you just look at the business group for a second, because I've come to know them fairly well during the mandate process, there are divisions within business, chamber of commerce, CFIB, around the process of staying at the table, let alone participating in an active way in the future. But the mandate group for business managed to get through that. They sat there and worked it through.

One of the wonderful things about the process that maybe governments should have looked at in the past, because it's a great political devolution of accountability and responsibility and certainly of blame-taking, is that rather than trying to

choose who you're going to appoint and therefore getting into all the patronage kinds of allegations and things like that that come forward, you turned to those people and said: "You choose who's going to be on your steering committee. You choose who's going to help you develop the mandate. You have the input into the mandate."

That empowerment kept the vast majority at the table. Just hearing a little bit in the last few days about the business nominees, I think they've done a fantastic job in pulling together an immensely diverse community of interest to come forward with a really good candidate selection process, which I think is a wonderful validation of the process that took place.

The trouble with the time is—we were not on time line here as to where we were supposed to be in the first place—we were taking two steps forward, one step back as we went ahead, and sometimes one forward and two back in a sort of tango. That's what I'm afraid of for this next period of time, that the traditions will continue, the fencing, but I don't know how you get past it. I really don't. In the end, the empowerment and the actual deciding of things that are in the workers' best interests and the businesses' best interests for our economy will start to create a relationship that may change some of our other business-labour relations in the province.

1630

Mr Martin: I actually want to continue in that vein, because I think that's fundamental. The success of this whole operation is that relationship. As a matter of fact, to be a bit more apocalyptic, fundamental to the further development of our economy and our ability to compete in the global reality is the ability of labour and management to work together, along with government, in new partnerships.

I think the people out there are saying the same thing. If you look at the survey that was done by Maclean's magazine some time around Christmas, very clearly the people want business and labour and governments to work together in everybody's best interests, because they know that our standard of living, our quality of life, our ability to support some of the programs that we've come to enjoy are all tied in there.

I guess I would just like to say to you that I share your feeling that we need to make this happen. I don't think we should let the groups off the hook. Your experience of working with those groups that you said were for ever at each others' throats and found a way, I think that's very hopeful.

There have got to be strategies, though, that we can put in place to make this thing work. I don't think we just throw these people into a room, as we've traditionally done, with no food and lock the door and they come out 24 hours later with an agreement. That is not a process any more that's intelligent, or proactive anyway. So are there processes? Are there ways of making that happen?

Mr Johnston: I think so. One of the things that'll make it harder is the fact that the people who will be on the board are not necessarily going to be, and are probably not going to be the people who have been through these processes in the steering committees. They've not actually gone through the position of sort of giving up territory and finding that you're still all right and you've got integrity and that you can have conversations. So they're going to have to go

through some of the same things our steering committees have been through.

But I think the reference groups will look a lot like the steering committees in membership, and their strength of having come through a lot of very tough times working with each other will be a wonderful reinforcement, whether it's to the business members on the board or the trainers on the board or whomever, to say to them: "Hey, just a second. We went through that nine months ago and this is the accommodation we made. Why don't you try this? Why don't you try that?"

I think they'll provide very strong support for consensus within the board and I particularly think the trainers—there's a funny little side of trainers that you never expect. They do organizational things, but having the trainers on OTAB, I found in our process of developing this, has put us in the position of doing bridging. I'm on the phone—you're all seated, which is a good thing—to the chamber of commerce and the Canadian Manufacturers' Association more than I ever expected I would be, in terms of trying to make bridges between positions they were hard on and positions on the opposite side that the OFL was hard on, and trying to do bridging.

I think you'll find the equity groups, the trainers will be playing that kind of role and that the reference groups, which have been through it now for almost a year, will also be able to provide supports to those groups.

The other thing that's helpful is that if some of the people off the OTAB working group can actually find their way into OTAB itself to work, the fact that they've lived through the battles we've been through will be a very big assist to the people on the board.

The Chair: Thank you, sir. Mr Johnston, the committee appreciates your attending here, values your opinion and is grateful for your insights.

Mr Johnston: That's the first time you've ever said that, Dr Kormos. I appreciate it.

The Chair: Speaking on behalf of the committee, sir, all of us thank you very much for taking the time to be here.

OAKVILLE CHAMBER OF COMMERCE

The Chair: The next participant is the Oakville Chamber of Commerce. Please come forward and tell us your names and your titles or positions. We've got written materials which will become part of the record by virtue of being filed as an exhibit. Please try to save at least the second 15 minutes for questions and dialogue. Go ahead, please.

Mr John Hogg: I think you'll have more than that.

The Chair: Good.

Mr Hogg: Good afternoon, Mr Chairman, committee members, ladies and gentlemen. My name is John Hogg and I'm president of the Oakville Chamber of Commerce. With me is Mrs Jackie Cutmore, our executive vice-president. We represent 1,000 member companies and 1,600 representatives in those companies.

The concept of OTAB is positive: facilitating communication between all labour market partners and defining their needs for training to ensure we as a province, and indeed a nation, move forward in the global economy. However, there are some fundamental problems with Bill 96.

For example, "public and private sector" is not fully defined; therefore, the use of these terms should either be defined or not used. We mention this because a member of ours has brought to our attention that publicly funded school boards are in the business of computer training and effectively putting her out of business. The conclusion to this is that this person pays local and provincial taxes to be used in unfair competition against her. This cannot continue.

Last April, we made a presentation to the consultation meeting on the local training board proposal, and at that time we represented seven chambers of commerce and boards of trade, 5,420 companies, 7,220 individuals and about 167,500 employees.

Then, as now, we maintained that HAPITAC, a CITC which covers the Halton-Peel area, was and is doing a more than adequate job. Consequently, we feel that if it ain't broke, don't fix it.

In making this assumption, we had reviewed the mandates of HAPITAC and the proposed local boards, which are as follows:

- To ensure business, labour and the community at large provide active input and participation in the design, development and delivery of skills training in Halton and Peel.

- To ensure full and effective use of all educational resources.

- To strengthen partnerships on local labour market issues between the community and federal and provincial governments.

- To facilitate a lifelong education and training culture in Halton and Peel.

- To balance the supply of skilled workers within the regions of Halton and Peel with present and future demands.

- To provide active ongoing promotion of skills upgrading programs.

- To provide ongoing assessment of the labour market within Halton and Peel to identify where training is required.

- To advise appropriate government bodies on: (a) new incentives in training; (b) the efficiency of existing programs in meeting labour market needs; (c) necessary support mechanisms required to maintain trainees in training.

- To arrange for the provision of courses that will meet the needs of businesses and labour.

- To act as a vehicle for the flow of resources from all levels of government to provide training for the local businesses and labour.

- To monitor and evaluate training programs and their effect on the local labour market.

About the local boards: fostering the development of a training culture in a learning society; undertaking local strategic planning; promoting the adoption by local firms and training institutions of national standards for training and certification; purchasing skills training after reassessing local labour market needs; monitoring and evaluating the effectiveness of training and adjustment programs.

As you can see, the two have similarities that can't be ignored, and in fact it begs the question as to why reinvent the wheel. We therefore submit that a great deal of expertise is available from both staff and volunteers of such organizations and it would behoove the government to take advantage of this.

The Oakville Chamber of Commerce has been focusing on education for over a decade and recognizes the ongoing need to be prepared to change careers numerous times throughout one's working life. While employers streamline and become more involved in technology, jobs will become scarce and knowledge of skills will become a paramount issue. Students must be taught to adapt to these ever-changing times. This is not a future prediction; it is occurring now.

We don't profess to have a crystal ball, but we can tell you that these conditions will continue to occur and training will be the rule, not the exception. An updated employer-needs assessment is needed and involvement of all of the labour market partners is a must for this program to be effective and successful. The first part of this is already in the works by the collection of a database on 20% of the actual employer base in Halton-Peel.

Secondly, with regard to the labour market partners' involvement, see the list attached, appendix A, which is being facilitated by HAPITAC. Examples of organizations involved in HAPITAC on this list include numerous unions, boards of education, municipalities, businesses and business organizations. As a matter of interest, Mrs Cutmore's job description mandates her to be involved in HAPITAC and other such groups.

Thirdly, the maintenance of these data and continual upgrading of the data are crucial to the maintaining of a solid, real-time, accurate database which would provide a platform for decision-making based on community needs.

We urge the members of this committee to ensure that the formation of OTAB and the local boards is not a duplication of services already being provided by all labour market partners.

Any questions? I'd be happy to answer or at least to try.

1640

The Chair: I'm sure there are, and we're blessed with six minutes per caucus. Mr Carr, please.

Mr Carr: Is it appropriate that the member for Oakville gets to ask the first question to Oakville?

Mr Hogg: I would think so.

Mr Carr: Thank you very much for coming in. I appreciate it, Jackie as well.

I had a question regarding the cooperation right now that you see with HAPITAC. I've been involved in that and have spent many hours going through that. There is tremendous cooperation. You may have missed it, but the previous speaker came in, a former MPP, who talked about some of the problems that happen between labour and management and labour and business on committees and that they won't cooperate. If you could give us—

Mr Hogg: I heard some of his comments. Can I preface?

Mr Carr: Could you give us an idea of how it's working in the Halton-Peel area and why it's working and some suggestions you can give to the government to make sure that it stays that way?

Mr Hogg: We had a meeting—a couple of weeks ago, Jackie—up at the Board of Trade for Metropolitan Toronto, with the CMA, hosted by the Ontario chamber. The Metropolitan Board of Trade was there. There were people from all over and all walks of life who were in attendance at that meeting, trying to come to grips with this OTAB Bill 96. We

were able to do quite a few things. HAPITAC itself is just a dynamic group. As the list will show you, there are a number of people from all labour market partner groups who are involved in it and it's a good organization.

Mr Carr: I agree. I hope the government, because it is going to proceed, is going to take some of these fine people and put them into the new local board.

I had a question with regard to the funding. Some of the other chambers came in and talked about it. The OFL was in today and their recommendation was—I've got the exact wording here—that the costs relating to job training should be paid by employers through a payroll training tax.

I was explaining to some of the people about Tridon, which you're aware of in our area, which left and took 500 jobs with it. They said the single biggest reason they left was the employee health payroll tax. From the chamber's perspective, what would happen if there was another payroll tax added to businesses in the province?

Mrs Jackie Cutmore: Would that be after the corporate tax that's just been assessed everybody, unbeknownst to them until their anniversary date of incorporation came in, or what other piece of legislation?

I think the big thing with businesses today is that they are struggling to keep alive and I think any type of tax that we're putting on is a continual burden to their resources, financial and themselves.

We've discussed that at the Oakville chamber and we feel very strongly that in our neck of the woods anyway, 60 cents of every tax dollar is spent on education. That's not a surprisingly large amount when you see the budgets that the boards of education are putting forward.

I guess I would have to ask a question, Gary. Would there be a 2% rebate on that tax dollar if we indeed then paid for training? Because I guess a lot of our business people feel that a lot of this should be done in the education system and that people should be quite up to snuff when they get into the workforce. They're already paying for taxation on what they consider to be training, ie, education, and I guess they would be hard-pressed to understand an additional fee.

Mr Carr: For those of you who don't know, I know that John and Jackie spend as much time appearing before the school board on various issues. I don't know if many other chambers do it, but they're actively involved. You're right, we have done a good job in the Oakville chamber of making those views known. As a matter of fact, some of you may not know that John and Jackie just came off a big fight over MVA that went on up in Halton, so it seems that everything comes back to taxes, and then they're talking about another tax.

I had another question, though.

Ms Swarbrick: I thought I was remembering you from the MVA hearings.

Mr Carr: Yes. Regulars coming in.

My next question relates to the situation with regard to how your members see the education system right now. I think you may have even been there the day that Kimble, who's a parliamentary assistant, came out to the Sheridan training centre when we opened it. I think you were both there. It was a great facility, with new machines and so on.

When we were there—and I think Kimble was with me—some of the trainers at Sheridan said: “One of the problems we’ve got is here’s the machine but you need to have fairly high math skills, and the problem we’ve got is the kids coming out of high school don’t have the math skills. We have to teach them math before we can teach them these skills.” How would you classify the education system now of the kids coming out of high school: good, bad, excellent?

Mr Hogg: I think there’s no question that math skills, science skills, all the skills in high school are lacking. There’s not the quality of education that we’ve seen in the past or that we see in other countries. For example, I heard this week that there were stories that Great Britain, Germany and Japan are at, I think, about 78% of the cost of what Canada is in educating their students, yet they tend to have a better system than we do.

I think it’s not a matter that we have to throw money at boards of education or training facilities. We have to do a better job at the 3Rs and have the basics coming out of the elementary and secondary level so that they can be trained and trained easily and be able to be trained for numerous jobs they’re going to have throughout their working life. You’re not going to have one job. You’re not going to be able to be an electrician for the rest of your life when you’re 20 years old any more.

Mrs Cutmore: Gary, if I can just add to that, when I was a school trustee in 1978 to 1981, the same type of information came forward that John has just said that we would in the future in the secondary education review commission that went on. We discovered then that our students of the day would be changing careers no less than maybe six times in their lifetime. Nothing has changed. We’ve recognized all these things in the future predictions of studies and commissions that we do in both the education system or the colleges to find out what the training programs are, and nothing changes.

We need to have the fundamental skills, and John has said it very accurately. The businesses have said they are willing to involve themselves in the training of their employees as long as they have those fundamental skills. If the students know how to read, if they know how to write, if they know how to tell the time and how to get in at 8 and leave at 4 and not watch the time as it goes by, just the responsibility type of skills and the life skills you need in business, the businesses are quite willing to do the training. It really wouldn’t be a 2% tax at that point. It would be a responsibility that they would gladly take on if those fundamental skills were in the students they were involved in getting ready for their place of work.

Training is important. It’s like computers. How can we ever hope to keep up with the ongoing changes in them? Businesses don’t know probably today the various technologies that they will be involved in in the future. I think those fundamental skills—and I say that with a great deal of emphasis because if we teach our kids those, if we teach our kids what to do, our students of today, they will be able to look after the great majority of the elderly who will be there as the three quarters turn and the one quarter looks after us in the future.

Mr Sutherland: I want to say too, being at the Sheridan, that it wasn’t all directed to high school students. A lot of people who train at the centre are adult students who dropped

out of school at a time when you didn’t necessarily have to have your degree and so are picking up those skills as well.

I also, on my favourite bugaboo about comparisons with other jurisdictions, want to keep pointing out that Canada does spend quite a bit more than other jurisdictions, but our students watch more hours per week of television than those other jurisdictions and they also work more hours per week at part-time jobs. There’s quite a few studies that say once you get past 12 hours per week, that starts to influence their education. Those factors need to be taken into account as well.

I want to just ask you a bit about HAPITAC here. You’ve presented us with a membership list. As I look through it at the type of things you’re doing, it would seem to me that you’re doing a lot on the industrial. You are an industrial committee. I wonder if you could give us some sense of what HAPITAC is doing in terms of the service sector, because certainly my sense and view of what OTAB is going to do takes us beyond some of the traditional type of training that has gone on in a lot of the trades, which is certainly necessary in those areas, and I’m wondering if you could just tell us how broad a type of training you do. Do you do a lot in the service sector and some of these things, computer skills etc?

1650

Mr Hogg: Maybe I can take that. They definitely have a hospitality committee that they work with. I believe they’re working with Sheridan on that as well. Plus the initials for HAPITAC, or the acronym, stand for Halton and Peel Industries Training Advisory Committee. Maybe we should have a HASITAC, service sector or something of that nature; rather than industrial training have service sector. Possibly I’m overstepping my bounds here, because I am the president of the chamber of commerce and I don’t have a direct involvement with HAPITAC, but possibly that’s something we should be looking at as well.

Mr Sutherland: I just want to make clear, you understand that the local boards are a joint, both provincial and federal—

Mr Hogg: As I understand it, part of the funding would be federal and the direction would come from the province.

Mr Sutherland: Yes. The establishment of the boards, though, will only come once we’ve got OTAB legislation passed, and then OTAB, in conjunction with the Canadian Labour Force Development Board, Employment and Immigration and the government, will set up what the rural operations of those boards are. But I certainly hope that many of the people who are involved in HAPITAC will be the ones who will be involved in the local board.

Mr Hogg: In our opinion, if it’s necessary to change the name from HAPITAC to local board and to slap that on the door, we’d be very much willing to create the sign and have that made up, to have OTAB slapped on the door, because it is doing a very good job at this point in time.

Mr Gary Wilson: I just want to be clear, though. There seems to be more than a difference in name here. As Kimble pointed out, the service sector seems to be underrepresented, but there’s also the other groups that have been brought in, the equity groups, that is, women, racial minorities, people with disabilities. I’m just wondering, looking at your list here for HAPITAC, they seem to be also underrepresented.

Mr Hogg: Maybe I can talk about the Canadian Chamber of Commerce, and hence maybe part of that would come down to the local board eventually. The Canadian Chamber of Commerce has taken very strong stands on visible minorities and is positively promoting the aspect of having visible minorities employed and utilized to their fullest in the workplace.

Mr Gary Wilson: So you see that that would be a strong enough incentive at the lowest level?

Mr Hogg: That too is the incentive from our point of view, yes.

Mrs Cutmore: Could I just also add to that, if I may. When I was talking to the executive director of HAPITAC when we were making this presentation—and I'd like to tell you it was done two months ago and carefully packed away until then, but it wasn't—he very quickly faxed that to me, and I happen to know, having been on the board of HAPITAC at one point, that the services committee and all facets—and I underline all facets—including the service area, are looked after in their hospitality committee where they deal with the various hotels of the communities of Halton and Peel. They bring them in with the various careers, and I think multiple ethnic groups etc are involved in this whole scenario.

I would also tell you that in their board representation their distinct wish to make sure that they were representing all sectors caused them to expand that board about two years ago to take in all of the groups that I think have been identified through the papers you have been discussing in the last weeks, months, years. This is just a précis, I guess, a very quick sample of what he said we could use in that type of thing, but I do know for a fact and I can tell you that they do work with all the facets you're talking about.

Mr Gary Wilson: Also, I—I'm sorry.

Mr Hogg: No, I guess that's fine. Go ahead.

Mr Gary Wilson: Just to pick up on the education issue, the idea that training and education are synonymous, I wasn't sure from what you said whether that isn't your view of it. That is, you mentioned the tax that would be rebated from the education tax because it should be doing the training. I just wondered what your view on that is as far as the training that should go on in school, as against training in more specific areas in the community.

Mrs Cutmore: In Halton they did a technical advisory review and they looked at the aspect of bringing in machinery and equipment. As many of you are not aware, or may be aware, the cost of updating the equipment in these technical classes is rather phenomenally large and it's almost impossible for boards of education, within the budgets that they have.

At that particular time, they talked about focusing almost to the old system of the 1950s; a technical school that would have all of the most upgraded equipment and the most modern equipment in a particular area that students would be bused to for a particular credit in the afternoon. We talked about those different variations of getting the costs into line to be able to do that.

It's really difficult to try and work in, I guess, the type of training one needs in business, into the school system. That's why I again come into the fact that if the fundamental skills are there, the mind and the capabilities are prepared for the various careers and they're able to adapt as the need arises.

But I think the important thing here is that they only have one credit. Out of 30 credits in the school system, only one is designed to work on behalf of skilled trades and through either business or technical courses.

So we're not really aligning ourselves with the things we're saying here when we say that. We're saying careers will change and we're saying skilled trades are needed and we're asking people to come from other countries to fill these needs that we have, but we still remain with one credit out of 30 being the necessary requirement for a certificate. How does that adequately prepare or even get them interested in a technical trade?

We talk about the dropout rate in Ontario being 30%. I think if you asked a lot of people, they would tell you they are not academically oriented. The only reason they stayed in school was because they had woodworking shops, technical shops, auto shops, double credits of this and double credits of that.

As so often they say that when you're making a presentation, put yourself in the shoes of the person listening, I would say to you that sometimes we have to put ourselves in the shoes of the kids who are being taught and we have to understand what makes them interested in things. You know, we can understand that we have to make school interesting for them. Whether or not there is a large number of students going on to university because there are no jobs and because they don't know what they're going to be, is another issue.

If we are able to help them stay in by helping their curiosities, their boredom—kids are dropping out because they're bored. There are three words: bored, bored and bored; all in that order. But if they have some technical classes or some business classes—because all kids are not created equal; they are not all academic.

So when we talk about the 60% of our tax dollar, people would gladly pay that if they knew these types of things were being done and that the quality types of education that students were coming out with would develop those minds so they would adapt to the skills of the changing society.

The Chair: Thank you. Mr Ramsay, please.

Mr Ramsay: I'm going to defer to my colleague.

The Chair: Of course. Mr McGuinty.

Mr McGuinty: Thank you both for your presentation. In the body of your presentation you told us something I have suspected, to some extent. I'm not sure whether I'm prepared to believe it fully, but it frightens me nevertheless: There's a government that's going to put into place a program which will serve a role which is in large part superfluous to a role being played by another level of government or by the community itself.

I think one of the things you've got to ask, and I'm going to ask you this now, is that whenever you come up with a bill, what is the problem for which this is the solution? Sometimes you find they don't match, but I want to hear from you what the problem is out there. What is it that we have to do in order to ensure we create a training culture that is competitive with the very best?

Mrs Cutmore: That's a toughie because, if I may, John, there are two sides to that. One is the education system and the other is to strengthen the economy by helping business to

be business, to be strong in business and create the economy we need, which allows them to have capabilities to provide jobs to employ the students that will be coming from schools. There's a marriage there, I guess. We're talking about training for what? For where? Oshawa? GM? Those jobs are being lost and we're finding an incredible situation that's occurring here with the economy the way it is.

I saw a sign today, "Somebody told me that there was light at the end of the tunnel, but then they turned the switch off." You know, there was light at the end of the tunnel, and I'm not sure that the kids have a lot of hope there on the jobs they're going to get, but business is out there justifying its means and trying to survive, so I'm not sure it's really interested in this program. They're interested; don't get me wrong, but survival is what they're after right now in this economy, and education is doing its thing in trying to prepare kids. There seems to be a gap that's going to sort of swallow up the emptiness in the middle there.

Mr McGuinty: Let me ask you this. Business has been criticized throughout North America for being remiss, let's put it that way, in terms of engaging in training programs. What do we do? What do we do to ensure that stops happening and that you do take an active interest, and is this going to contribute?

Mr Hogg: I think you have to look at the record of HAPITAC, for one, and then take a look at the record of employers like Ford Motor Co of Canada. They have one of the biggest training facilities right now. They have a brand-new van coming out in the next year. Right now, at this very minute probably, their employees are looking at trying to develop the best assembly line for that system to build in that plant in Oakville.

The government of Canada and the province of Ontario and Premier Rae have been at that plant looking at the technologies that have developed because of employee participation

in the training programs there. It's phenomenal, what's going on there. Gary, I think you've been through the plant once or twice yourself. It's just phenomenal, the training programs that go on there. So to say that it's not being done now is a fallacy; it is being done now.

The Chair: Thank you. The committee wants to thank the Oakville Chamber of Commerce, Mrs Cutmore and Mr Hogg, for a presentation which was not only impressive but very valuable to all the members of the committee. We're grateful to you for taking the time to come up here. We trust you'll keep in touch as this legislation goes through committee and on back into the Legislature and we welcome any further comments from you, should you want to make them. Thank you kindly.

Mr Hogg: Thank you very much.

Mrs Cutmore: Thank you very much.

The Chair: Have a safe trip back home.

The next participant is the Ontario Training and Adjustment Board Steering Committee, Toronto.

We're going to recess for five minutes. We're waiting for that next participant. It's five after 5 but it's busy out and they may have a difficult time getting here. A five-minute recess, please.

The committee recessed at 1704 and resumed at 1720.

The Chair: Unfortunately, the participant scheduled for 5 pm has not been able to be here. It's 5:20 pm. There may well have been some confusion; any number of things are possible. The committee is requesting the clerk to get hold of this participant and try to arrange for an alternative time. There's unanimous consent on the part of the committee in that regard.

We are adjourned until 10 am tomorrow morning. Thank you very much, people. Good night.

The committee adjourned at 1721.

Substitutions present / Membres remplaçants présents:

Carr, Gary (Oakville South/-Sud PC) for Mr Turnbull

Cunningham, Dianne (London North/-Nord PC) for Mr Jordan

Martin, Tony (Sault Ste Marie ND) for Mr Waters

Ramsay, David (Timiskaming L) for Mr Conway

Sutherland, Kimble (Oxford ND) for Mr Dadamo

Swarbrick, Anne (Scarborough West/-Ouest ND) for Ms Murdock

Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND) for Mr Klopp

Clerk / Greffière: Manikel, Tannis

Staff / Personnel: Anderson, Anne, research officer, Legislative Research Service

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John Hogg, president	
Jackie Cutmore, executive vice-president	

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

***Chair / Président:** Kormos, Peter (Welland-Thorold ND)

***Vice-Chair / Vice-Président:** Huget, Bob (Sarnia ND)

Conway, Sean G. (Renfrew North/-Nord L)

Dadamo, George (Windsor-Sandwich ND)

Jordan, Leo (Lanark-Renfrew PC)

Klopp, Paul (Huron ND)

***McGuinty, Dalton** (Ottawa South/-Sud L)

Murdock, Sharon (Sudbury ND)

***Offer, Steven** (Mississauga North/-Nord L)

***Turnbull, David** (York Mills PC)

Waters, Daniel (Muskoka-Georgian Bay ND)

***Wood, Len** (Cochrane North/-Nord ND)

***In attendance / présents**

(Continued overle)

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Legislative Assembly of Ontario

Second Intercession, 35th Parliament

Official Report of Debates (Hansard)

Thursday 21 January 1993

Standing committee on resources development

Ontario Training and Adjustment
Board Act, 1993

Assemblée législative de l'Ontario

Deuxième intersession, 35^e législature

Journal des débats (Hansard)

Jeudi 21 janvier 1993

Comité permanent du développement des ressources

Loi de 1993 sur le Conseil
ontarien de formation et
d'adaptation de la main-d'oeuvre

Chair: Peter Kormos
Clerk: Tannis Manikel

Président : Peter Kormos
Greffière : Tannis Manikel

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Thursday 21 January 1993

The committee met at 1002 in committee room 1.

ONTARIO TRAINING AND ADJUSTMENT BOARD ACT, 1993

LOI DE 1993 SUR LE CONSEIL ONTARIEN DE FORMATION ET D'ADAPTATION DE LA MAIN-D'OEUVRE

Consideration of Bill 96, An Act to establish the Ontario Training and Adjustment Board / Loi créant le Conseil ontarien de formation et d'adaptation de la main-d'oeuvre.

ONTARIO ASSOCIATION OF CAREER COLLEGES

The Chair (Mr Peter Kormos): It's 10 o'clock. We're going to start, and the first participant this morning is the Ontario Association of Career Colleges, Brantford. Would those people please come forward, have a seat, tell us their names, their titles, their positions and then proceed with their submissions. Please try to save the second half of the half-hour for exchanges and questioning.

I want to remind people that there's coffee and other beverages here at the side. That's not just for committee members but for people from the public who are visiting or participating. Make yourselves at home. Go ahead, people.

Mr Paul Kitchin: I'm Paul Kitchin, the executive director for the Ontario Association of Career Colleges.

Ms Sandy Demark: I'm Sandy Demark, a board member with OACC.

Mr Kormos, committee members, we want to thank you, first, for the opportunity of allowing us to represent OACC today, the Ontario Association of Career Colleges, and address Bill 96. I'd like to tell you a little bit about our background, the involvement we've had to date with OTAB. Then Paul will take over and address some of the bill issues a little more directly.

The Ontario Association of Career Colleges, OACC, is a non-profit association representing Ontario's career colleges through its ongoing working relationship with the Ministry of Colleges and Universities. Recently MCU has consulted with OACC on part of the review for the Private Vocational Schools Act and the Ontario student assistance program. Currently OACC is working in partnership with MCU to establish a financial aid office for OSAP at the association's head office in Brantford. In addition to its legislative activities, OACC offers the career colleges professional development workshops and management training seminars.

In Ontario there are more than 300 career colleges providing post-secondary training and skill development programs to more than 37,000 students annually. These colleges are regulated by the Ministry of Colleges and Universities under the authority of the Private Vocational Schools Act.

The first career college in Ontario was established in 1868 and is currently in its 125th year of continuous operation. Career colleges are located in more than 60 small and large communities spread throughout the province and provide an

essential training option for special sectors of Ontario's population.

Ontario's career colleges are currently providing training in a variety of careers, including accounting, animal care, beauty-cosmetology-aesthetics, business, child care, computers, dental care, electronics, fashion merchandising, health care, hospitality, law and security—the list goes on.

According to a recent survey, to which approximately 7,000 students in attendance at Ontario's career colleges responded, the demographics stack up like this: 60% of the students were female; 20% of the students were over the age of 35; 23% of the students were born outside of Canada; 16% of the students were mature students and 13% of those students were sole-support parents; a full 40% of those students had previously attended a college or a university; 15% of the students were college graduates; 9% of the students were university graduates; 5% described themselves as disabled.

Generally the students attending career colleges tend to be older than those attending public institutions, with many choosing a career college after having already attended a publicly funded training institution. Many of them have identified characteristics of private training which are advantageous to them. With diploma programs that can be completed in 6 to 12 months, career colleges can offer the student the ability to enter the workplace within a time frame which minimizes their loss of income. With small class sizes, career colleges offer the students the individual attention they often require. With flexible hours of instruction, career colleges can offer students a program schedule that fits their personal and/or work-related commitments.

Over the years, many government training programs, such as workers' compensation, vocational rehabilitation and Transitions, have continued to provide funding for their clients to be trained at career colleges.

The involvement to date with the steering committee and consultations started in January 1991. The National Association of Career Colleges, which represents the private career colleges across Canada, was one of the original education/training partners which came together to form the National Education Organization Committee, and it was a reference group of the Canadian Labour Force Development Board.

In January 1992, OACC brought that experience of the national association to OTAB and the local board consultation processes. OACC joined with the unregulated private training organizations to form a triumvirate of private trainers who for the past 12 months have participated on the education/training steering committee as one of the five recognized training resource constituents.

Since the beginning of the OTAB process, OACC has publicly promoted the concept that we must all put on our Ontario hats if we are to succeed in developing a learning culture and a well-trained workforce. This means that each of

the labour market partners, and indeed the constituent groups within the partners, must stop turf bashing and turf protecting.

We have believed from the start that our turf is Ontario and in fact Canada. There is too big a job to be done to waste our efforts with turf bashing. Indeed, we need to look at the strengths within the educational continuum, which includes all existing delivery systems, and build upon these strengths, build upon the existing partnerships and build the required new partnerships.

As a participant on the education/training steering committee, OACC has tried during the past 12 months to learn from our community-based, community college, university and school board colleagues, while sharing some of the information from our private training. OACC was a staunch proponent of the consensus method which was eventually adopted within the steering committee for making decisions and choosing local board panel members and OTAB members for education/training. While this model did not choose nominees who were put forward by private trainers, OACC is quite comfortable that the successful candidates will, in the spirit of OTAB partnerships, represent all training constituents well.

OACC has an agenda for training. For over 100 years career colleges have been a fundamental part of Ontario's education system. Our students arrive eager to learn the skills and develop the work habits necessary to secure a good job. These students deserve recognition and support.

The Ontario Association of Career Colleges urges all labour market partners and education and training constituents to plan for the future by responding to the needs of Ontario's student clients. In this respect, the OACC's agenda for training would address the need to provide equal access to responsive and effective training that will give students the flexibility required to build their careers.

We must ensure that all students have equal access to quality education options across the province.

We must maximize the effectiveness of training in Ontario by breaking down any barriers that exist between employers and trainers, as well as those that exist between the public, private and community-based trainers.

We must maximize the flexibility of Ontario's students by working to define and certify the basic outcomes that education and training should achieve in order to establish national outcome standards.

We must increase our responsiveness to Ontario's swiftly changing workplace demands by ensuring that our training institutions become as dynamic as the market which our students must enter upon graduation.

Building a career is not easy today, and while our training delivery options may not be for everyone, making sure that everyone has the option to choose the most appropriate training for his or her individual circumstances is critical to the development of the workforce which Ontario requires.

The Ontario Association of Career Colleges believes that a properly legislated, administered and implemented Ontario Training and Adjustment Board can work towards and meet our agenda for training in Ontario and Canada.

Mr Kitchin: You've just heard the training agenda that OACC has developed, and as we look towards the OTAB process, we feel that there are some key elements that would

need to be included in the OTAB process to help achieve those goals on our agenda.

The first would be to ensure that there is easy access for students to all training programs. In the spirit of OTAB our training system in Ontario does need an overhaul that will coordinate the services and give us a shift from a situation where dozens of programs are being offered through 10, 11 or 12 different ministries and move towards the concept of a one-stop shopping type of system for access. We feel that would be a critical point for OTAB.

1010

In looking at the structure, as we look at the governing body, OACC sees that the governing body for OTAB needs clearly to be a very executive-type board that is spending its time in terms of strategic planning, developing policy, monitoring the implementation of the policy and evaluating.

To help achieve this, we would see that this governing body would need to establish local training and adjustment boards that would be able to take on the responsibility for the delivery of the training programs and have some decision-making ability so that part of it could be handled locally in the communities where we feel they are best equipped to make those kinds of decisions based on local conditions.

We feel there's a strong need for the labour market partner representatives who will be sitting on the OTAB board to have good, strong reference groups from the partnership areas to help support them, to give them input and also to evaluate the role that they are playing on the governing body. That would be another issue.

We feel that there is such a big job to be done in terms of training and education in this province that it behooves the system to make sure that we utilize all the training and education resources that are available in the province today.

Lastly, we would see that we need to take a look at the areas of strength that already exist within that system and start to build upon those.

When we look at the actual legislation itself, I guess there are four or five areas that stick out for us that need to be addressed. The first is around the local boards, both composition and decision-making ability and empowerment of the local boards. As I've just said, we feel quite strongly that the local boards need to have the ability to make decisions. We think there should be some flexibility of composition and we don't see it in the legislation as it's written now. There is reference to looking at these conditions under the regulations and we certainly feel that it needs to be addressed more in the legislation.

In our brief we give you the example that it may not be that every one of the 22 to 25 local boards around the province needs to follow the 8-8-4-2 model. It may be that the best representation in any given area is a 5-5-3-2 or something to that effect. So we would certainly like to see in the legislation more detail about how the composition of the local boards would be made and giving them decision-making ability.

Another issue that again we feel quite strongly about is the reference groups. We feel that the legislation is perhaps a little weak in terms of defining the roles of reference groups, how they are going to be put together and their ability to have input into the system and to be able to evaluate the role of the members who have been chosen by that reference group to sit on the governing body.

In the section on objects, paragraph 15 within that talks about utilizing all the training resources. Over the past 12 months, as we participated on the education and training steering committee, it has been quite clear that we have established the five key partners in education and training and we felt that it would be useful to include that in the legislation to identify what those training resources are that we're talking about. In other parts of the bill we've specified business and labour and we've specified the equity groups, but we haven't come down to specify who we mean by the educators and trainers and we felt that that would be important.

Still under the objects, paragraph 16 talks about ensuring the strength of public institutions, and OACC is concerned that this perhaps contravenes the whole spirit of partnership and fairness and equity within the system to single out one particular type of delivery system to ensure the strength of it. We're not sure just exactly what "strength" means, but if part of the mandate of OTAB is to strengthen any one of the delivery systems within this province, it certainly should be to strengthen them all.

Our feeling on this, though, is that perhaps it's not OTAB's mandate to actually strengthen the system but, as we indicated earlier, to build upon the strengths within each of the education and training partners. Each of the groups has areas of excellence and we feel that it would be important for OTAB to build upon those strengths. So we would make the recommendation that that be looked at.

The final thing I'd like to say about the bill is in terms of the governing body. This comes a little bit out of a discussion yesterday at our interim steering committee where we had all the education and training parties around the table and we talked about decision-making at the governing body level.

In our brief, which was written prior to yesterday's meeting, we had talked about maybe going to an extended majority system rather than the simple majority or a double majority system which we have heard has been proposed, but in yesterday's discussion we felt that in going, say, to a double majority system where a majority of labour and a majority of business would be required, in fact the six seats that are eligible to the equity and education and training representatives would almost be redundant, that decisions could be made at the governing body level without necessarily having the support of the equity and education and training people.

You'll notice in the margin of the brief we've put an X and we've written in "triple majority." There was consensus at our meeting yesterday that we propose that to get decisions passed there be a majority of business, a majority of labour and a majority of that third group, the equity, education and training group, in other words, five business, five labour and four from the other group in order to have that body make decisions.

Having said all that, I'd like to be on record as saying that the OACC is very much supportive of the concept of OTAB and is looking forward to it getting going and wishes to continue to contribute to the process in partnership with all the labour market partners. We thank you again for the opportunity. We'd be glad to take any questions you may have.

The Vice-Chair (Mr Bob Huget): Thank you very much.

Mr David Ramsay (Timiskaming): Mr Kitchin, welcome.

I very much enjoyed your presentation, both presentations this morning representing the Ontario Association of Career Colleges. You highlighted today many of the concerns that we have with the bill, especially in regard to the empowerment, if you will, of the LTABs. In fact, I think one could almost go so far as to say that what's really going to be important and what's really going to work well for training, I think, is how well the local boards work, and in fact I'm not sure the OTAB itself is all that important.

I think we need to make sure we think out very carefully how we can allow communities and encourage them to come together in regional groupings and to make sure there's a fair representation of all the players in the training business and then empower them to make sure they can make some decisions and are properly funded to make sure that there's adequate training in the community.

I also agree with you that we need to remove what I call the prejudice against private trainers that we see in this legislation. I think it's a new era of government and public service and I think it would be refreshing for the public service to be able to stand up on its own two feet and, if you will, be able to compete with all the providers out there. I think that needs to happen and I think there should not be any favouritism towards the public education system but that we should be utilizing all the resources out there.

I'm just very impressed by your study that really outlines who your clients are. I think it's very impressive. I'm glad that at any opportunity you have you make sure people understand that you are providing substantial training for the people of Ontario. You seem to be attracting the very people who for some reason aren't captured by some of the other institutions in the province, and you're really fulfilling a market niche there.

1020

You've mentioned, as an idea to enhance your position, having all the different trainers spelled out in the legislation. I was wondering if you would want us to move an amendment that would delete the clause that basically says OTAB should be ensuring the viability of the publicly funded education system. Should we just remove that and maybe strengthen the other clause that basically says we should be utilizing all of the training out there?

Mr Kitchin: OACC, and I think I mentioned it in the brief, has suggested one of two things: either that that particular clause, number 16, be amended to say that we should ensure all systems are strengthened or that it should be deleted, one way or the other. We just don't feel that it's in the spirit of what we've been trying to build over the last 12 months.

In the minister's opening remarks on Monday, he talked about how the educational training partners came together for the first time and sat around the table, and we've gone through some very trying and interesting and rewarding times in working together and coming to consensus on a number of issues. We see this as almost a step backwards, to single out one particular delivery system. We feel that the community-based trainers, the private trainers and each of the public systems all need to be strengthened, and that's how we're going to get the job done.

Mrs Elizabeth Witmer (Waterloo North): Thank you very much for an excellent presentation. I was really pleased to see the important role that the Ontario Association of Career Colleges does play in this province and the delivery that you provide for the many groups. You've raised a number of issues here today that are similar to the issues and concerns we have been hearing. There does seem to be a bit of a change from the discussion that took place prior to the introduction of Bill 96 and the actual content of the bill.

I'd like to ask you about the composition of the local boards. You're suggesting that the composition reflect a particular community. Do you want that written into the legislation? How would you like to see that handled? That's certainly a concern we're hearing every day, the need for local autonomy and also the need for these boards to reflect local needs. Obviously the needs of Brantford or London would be very different from Thunder Bay or Ottawa. How would you like to see the legislation changed to make sure that there is this local autonomy and there is a response to local need?

Mr Kitchin: What we are asking is that in the legislation there be some provision for flexibility of composition and, to use the words that you've just used, to reflect the nature of the local community involved. Once again, at our educational steering committee meeting yesterday there seemed to be consensus around the room that on a local level it would probably be a wise move to ensure, for example, in the education and training field that each of the five partners within that group is represented on the local boards. Where we may not feel it's quite as important at the provincial level, we certainly see that having everyone at the table at the local level, all the people who have an understanding of what kinds of resources are available in that community and what the needs are, would be important.

So, yes, although I don't have the specific wording for legislation, we would certainly ask that consideration be given to including some reference to both empowerment and to flexibility of composition for the local boards in there, rather than just proceeding on the basis of the 8-8-4-2 model.

Mrs Witmer: The triple majority that you've spoken to here is an interesting concept, because we've been hearing from people that they would like to see a double majority. There's some fear that decisions are going to be made and not all of the groups are going to be represented. Is this something you feel very strongly about, the need for this triple majority, or would you be comfortable if there were a compromise and it was a double majority?

Mr Kitchin: Based on discussions yesterday around the education and training community, we foresaw the possibility of a scenario with a 22-person board where you could have, let's say, eight business representatives all voting for a particular decision, five labour representatives voting for and every-one else on the board against. So you've got your double majority, plus you've got your simple majority in that you've got 13 votes out of the 22, which means that if both education and training reps and all four equity reps were dead set against a particular decision, it would carry. That was the fear. We start to see those positions as being redundant on the board if in fact it's a double majority based on labour and business.

Mr Kimble Sutherland (Oxford): It's good to see you again and I'm glad you're here today. I think you've given a good presentation and, as always, have done your homework in terms of coming before the committee.

I just want to make reference to a couple of things, first of all in section 4, paragraph 16 of course, which makes reference to the strength of the publicly funded education systems, and to note that 16 and 15 need to be looked at together. You can't look at one or the other by itself, certainly understanding that there is enough room for all the groups that provide training in the province, but also to understand, and I think the opposition members would certainly and clearly understand, that government needs to ensure that its investment in public systems is looked after as well. I'm sure they'd be some of the first to criticize us if they didn't feel some of the efficiencies were there. I think it provides a good balance and I just want to say that I think those two need to be looked at together, not separately.

The other comment I wanted to make, just to be sure you're aware of regarding the local boards and why they're not specifically detailed in the legislation, is that the provincial government and OTAB itself will not be setting up the local boards. That will have to be done in conjunction with OTAB and the federal government, Employment and Immigration and the Canadian Labour Force Development Board.

We've had the local board issue come up several times through many of the presentations and we've tried to keep reiterating this point so that people do understand we don't have that actual authority to do that right now. That's why it's not specifically addressed in the legislation but referenced to under that regulations may be drawn up related to that. I just wanted to make sure that was made clear.

Mr Kitchin: If I could comment on that for a moment, while we certainly understand that local boards are an initiative of the CLFDB and the federal and provincial governments and soon-to-be OTAB, I guess, as a four-way project, in the legislation where it refers to local boards we don't see that there's any reason why OTAB could not make use of the local boards set up through the CLFDB and the other partners but perhaps augment those in terms of using them and adding other representatives to make them local training and adjustment boards, LTABs.

I think that's been a confusion through this process. Some people talk local boards, some people talk local training and adjustment boards. One suggestion would be that we could use the local boards setup and augment those to create the LTABs that are needed by OTAB to make sure that there is good representation and that the right decisions are being made. That was one suggestion we had.

Just back to your other point on 15 and 16, I understand what you're saying and I think perhaps there may be a way to combine those two into one statement. You're saying, "Don't take them separately." Perhaps we could put those into one statement, so that it doesn't say that we are going to strengthen one particular system over the others. That would be my comment back on that.

Mr Sutherland: Great. Thank you.

1030

The Vice-Chair: Thank you very much. I would like to thank the Ontario Association of Career Colleges, Brantford, for taking the time to put together what is indeed a very comprehensive brief, and thank each of you on behalf of the entire committee for taking the time this morning to come and very effectively present those views. I encourage you to stay in touch with the committee, either through the clerk or through individual members. Thank you very much.

Mr Kitchin: Thank you.

ELECTRICAL CONTRACTORS
ASSOCIATION OF ONTARIO

The Vice-Chair: The next scheduled witness is the Electrical Contractors Association of Ontario, if you could come forward. Good morning and welcome. Please identify yourselves for the purposes of Hansard and then proceed with your presentation.

Mr Eryl Roberts: My name is Eryl Roberts. I'm the executive vice-president of the Electrical Contractors Association of Ontario.

Mr Bob O'Donnel: I'm Bob O'Donnel, vice-president of the ECAO.

Mr Roberts: We appreciate the opportunity to address the committee regarding Bill 96. We have submitted a written brief for the committee's convenience. This morning I think we want to talk off the brief a little bit at some general concerns we might have with the bill.

I want to touch on three specific concerns with Bill 96, particularly as it relates to the apprenticeship training program. First of all, as an industry we are very satisfied with the apprenticeship program as it exists right now and we don't believe OTAB will contribute to our further development; not in a sense that we're anti-training or anti-development, it's just that when the wheel's not broken, there's really no need to fix it.

Secondly, the current apprenticeship system for training electricians, in our view, is market-driven and it's responsive to the interests of the primary players, the primary players in our case being electricians and contractors. Again, as far as OTAB is concerned, Bill 96, we see the possibility of having that responsiveness diluted.

Thirdly, we're concerned that the makeup of the OTAB board, which isn't really discussed in Bill 96 but left to regulation afterwards, is not going to recognize the competitive nature of the parties as they strive to gain more work. Not only must there be a balance between labour and management on a board like that, but there has to be a balance among the interests of labour and labour. The reason I raise that is that of course the employees of the ECAO are contractors or members of the building trades, and not the federation of labour.

With respect to the first point, we like the system we've got and we're very good at training. I'll just point to a few facts and some of them are in the brief. The completion rate, at least among the organized sector, the one I have some control over, is somewhere in the neighbourhood of 85%; that is, 85% of the candidates we bring in as electrical apprentices graduate at the other end. That's damn good. That's better than most training institutions of any type. Because of our

direct involvement in the training process, regardless of the boom-and-bust nature of the construction industry, we have been very successful in balancing supply and demand. We have not been training for the sake of training.

Finally, it's a high quality of training. The people who are responsible, who are going to benefit from the training, labour and management, keep an eye on what's going on. I'm lucky we're in an industry where technology opens a new door for us practically every year. We stay on top of that.

We told the Premier's Council when it started discussing training reform that the construction sector, and in particular the electrical-mechanical side of the construction sector, was in good shape. Indeed, when the report on training came out, *People and Skills in the New Global Economy*, it was recognized in the background sections of the task force report that indeed construction had done a good job of training. Unfortunately, in the recommendations section, they forgot to distinguish us.

We have been watching this fairly carefully and we notice the same thing happening in Bill 96, which is to say that we're not anti-change, we're not anti-development, but we want the people who create the processes that are going to govern us to recognize success where it exists and to create a system that recognizes that success.

On the second point, the responsiveness of the system that we currently have, we're governed by statute. Under that legislation and the regulations, at the local level we have joint apprenticeship councils. They're made up of contractors and union members. They know their industry, they know from where they have come, they know what their market is going to be the day after tomorrow and they adjust their local training needs to those immediate conditions.

At the provincial level, under the Apprenticeship and Tradesmen's Qualification Act you have organizations called provincial advisory committees, PACs—the same players, only from a larger cross-section, provincial in nature—that look after development of the regulations. They look after technical developments in the trade and report that through the apprenticeship branch to the minister, and whatever has to be done to improve the training system is done.

As an example, industrial electronics was not taught in intermediate, basic or advanced trade school. Now there is an option as a result of the recommendations of the PACs, beginning with my members and their employees and working its way right through the system to the minister, that "We need this stuff, because this is what's going to happen in the 1970s and 1980s." Sure enough, now we have, albeit optional, industrial electronics in trade school.

That matter of direct control is something we don't see addressed in Bill 96. What's going to happen to that relationship? Is it possible to put OTAB in place and not change the apprenticeship act? I don't think so. It doesn't look like it. There's going to have to be a rerouting of the reporting lines. Is that going to leave us in a situation where we no longer speak to people who can meet our needs? Are we going to be dealing with a 22-man board that doesn't know a switch from a plug as far as we're concerned, that doesn't know what's happening next? That's a real concern for us. We see that there are going to be more layers and more players and we're not going to get the responsiveness that we have been used to.

On the third point, and I think David Surplis of the Council of Ontario Construction Associations has already mentioned it, the situation between industrial unions and building trades unions, by way of example—I'm not making a value judgement here; I know the way it should have gone—but just by way of example, you're going to have to recognize that within the trades, and similarly within the employer groups, there are distinct interests and they are not necessarily the same.

There is a program in Hamilton right now—I think it's worth about \$3 million—where, though both pipefitting and electrical are compulsory registered trades, one of the steel companies and its union are in the process of training electrician-plumbers, whatever that may be. I guess that makes a lot of sense from within that organization, but I represent electrical contractors in the Hamilton area who have about 1,000 IBEW workers in a Hamilton local, some 60% of whom are now unemployed. That's just one little example.

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If those are the kinds of allocation decisions that OTAB, as a board, is going to be making—I'm not saying whether the \$3 million is well spent or not well spent; maybe it's just a fact of life that this is the way it's turning out—it's going to have to recognize that there is that competition, and training is the key variable in union jurisdiction.

I wasn't going to be making any specific recommendations; I was going to leave that to Mr O'Donnell. But perhaps in this particular instance, this third point of mine, instead of looking at just labour and management, you should be looking at industry sectors as well, because none of that is present in Bill 96. Indeed, that fight's going to be over the regulations, and we're out of it at that point. You're the people who can make that change before it's too late.

It's been suggested by a labour friend and colleague of mine in the construction industry that it should be maybe divided. Instead of eight, there should be nine: three, three and three—industrial, three; service, three; building trades, three. It makes a lot sense, with management counterparts. So you're dealing with a nine-man, three-by-three approach, as opposed to pretending that all labour is the same and pretending all management's the same, because it's not true.

With respect to some of the specific recommendations that are included in our report, and maybe to flesh out the report a bit, I'd like to turn it over to Mr O'Donnell.

Mr O'Donnell: My first comment is towards the whole Bill 96. After reading through it a couple of times, it's very difficult to comment on something that doesn't really have any substance to it other than defining there's going to be a board of 22 directors. Training isn't really tied into it. We don't really see what programs are going to be tied into it, because nothing's spelled out. It's to be spelled out later by regulation upon consultation with OTAB itself once it's in place.

We have two sectors of recommendations. One's within the governing board of OTAB, that the sectors of the economy for both management and labour representatives should be clearly identified in the legislation. That guarantees the replacements will come from those specific sectors. Of course, the construction industry should be one of the sectors guaranteed permanent representation.

The second recommendation is probably one you've heard previously by other business groups. There should be a voting procedure of a double majority of labour and management representatives, plus an overall majority of the board should be included in the legislation. I find it kind of amusing to see a piece of legislation that actually doesn't have a voting procedure in it. I know, just as a not-for-profit organization, we couldn't get incorporated if we didn't have a voting procedure for our board in the founding bylaws. But it seems the government wants to create an agency without that in it. It doesn't seem to make too much sense.

The second area of our recommendations deals outside of OTAB, and that's with apprenticeship reform itself. Throughout the discussion paper and the consultation process for the last year, part of the proposals have been that there's going to be an apprenticeship reform council created under OTAB. Though that is not in Bill 96, we understand that's the intention of the government.

Our view is that the apprenticeship act, if it's to be reformed, should be done outside OTAB in extensive consultation with the apprenticeable trades that are covered by the apprenticeship act, trades such as ours, which is the second largest in the province, and that reform process itself should determine what its future relationship will be with OTAB. We'd like to see that reform process go through the normal rigours of parliamentary procedure and public hearings, the whole bit.

Our concern is that down the road, OTAB and the minister will look at apprenticeship reform and that's the only consultation that will take place, and when the amendments are placed in front of the Legislature, they'll just go through like that. That's a great concern for us at the present time. We believe that process should be outside.

Our central view on these recommendations is, we have a certain amount of autonomy right now for training in our industry between labour and management to drive the system, to direct the system. The whole OTAB process—we've been talking about it for about five years now—is trying to get it to balance that autonomy that we have now and how it's going to operate under the self-governing agency of the government. We don't see anything in Bill 96 that even tries to put that balance in place at the present time. We would like to see that in the founding legislation, how they're going to balance the various sectors of the economy.

That's about it for our specific recommendations. Just as a personal view on the process, there's been a year of consultations among a variety of groups, and the result of all that is Bill 96, which is essentially six pages and comes up with a recommendation for a 22-person board. The bill is incomplete. It doesn't come close to giving us the insurance that our interests are going to be protected.

The Vice-Chair: Thank you. Questions? Mr Carr.

Mr Gary Carr (Oakville South): Yes, I'll go. Thank you very much. I agree with a lot of what you say. One of the concerns that a lot of people have voiced is that you're going to set up these local boards and a lot of, I use the example, small and medium-sized businesses think they're going to have access to them. But I think when it gets set up, what we're going to find is that some of the people who are allowed to be on the board are going to access it, and I think a lot of

the training will be done by large companies which are doing it themselves now and will say, "Heck, we'll now source the government." I think a lot of businesses that are supportive of OTAB because the concept is good are going to be in for a rude awakening, but we'll wait and see.

Just along those lines, you're saying that you're doing a good job now in terms of the training, the apprenticeship programs. Knowing that the government is going to go ahead with OTAB, is there any way you can see that you can still maintain what you're doing now within the framework of the way OTAB and the local boards are going to be set up?

I'll also ask you this: Don't you think that if it's working well, a local board in, say, my area of Halton will say it's working well and basically allow you to do what you're doing now? Do you see that happening, or do you think they're going to come in and make some changes to what's happening?

Mr O'Donnel: The whole concept of local boards is kind of contrary to the construction industry as a whole. The term "journeyman" means mobility, and the workforce is not a fixed workforce; it moves around. It's mobile, and we encourage mobility, because a construction project is going to be all over the place. The local board concept is basically a successor to the CITCs, the community industrial training committees, that are in place at the federal level, and construction really hasn't taken much part in those over the period of time.

Our central concern is strictly apprenticeship, and the apprenticeship act itself is what regulates our trade. The funding that comes through the apprenticeship act for in-schools is a mixture of federal funds and provincial funds that are under the federal-provincial agreements. The local boards just aren't going to do much for our industry and, similar to the CITCs, really haven't done much over time, but in other industries they can play a role.

One of our central concerns in this is that this whole process is designed to correct the failings of other industries, and we view that we're going to be trapped in that system without any consideration for our industry, which has a successful track record. We don't want to become prisoner to this system that's basically created for industries that have failed in training.

Mr Carr: Right now, what is your assessment of the industry's high unemployment rate? What percentage of people have you trained who are now out of work? Do you have any figures?

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Mr O'Donnel: It varies right now across the province, but it's upwards of 50% in some regions of Ontario at the present time.

Mr Carr: So any money that's available for training—we obviously shouldn't be training people in your industry when you've got 50% who are now sitting at home unemployed. Would I be wrong to say that?

Mr O'Donnel: Well, no. One of the difficulties in apprenticeship training is that it's a four-and-a-half-year program, and predicting our needs down the road is not the easiest thing. We've had a fairly successful track record despite that impediment of the boom-and-bust. There is a need to keep apprentices in the system, definitely, because we're going to need them down the road. We've been able, historically, to

balance that out and push the completion rates. We've got a problem right now of a large number of apprentices taken in during 1987, 1988 and 1989, trying to keep them working to complete their apprenticeship. But that's something we've always been able to deal with and get them through.

Mr Carr: Just on the issue of apprenticeship, because I know it varies from industry to industry: I've got a company in my riding by the name of Procor that can't get the trained people it needs even though there's 11% unemployment, especially some of the skills like welding and so on. They don't think the apprenticeship system works right now. What is your industry's vision of what we should do for apprenticeship then?

Mr O'Donnel: You know, in lots of sectors the apprenticeship system doesn't work. It's the fault of those industries that it doesn't work. There has to be a commitment by management and labour to make it work, and there are a lot of industries that have failed in that regard. One of the reasons it's more successful in construction is because contractors essentially sell skilled labour. We don't have a business if there is no skilled labour force.

In our view of the whole OTAB process and our relationship, we're still going to have to train people, regardless of OTAB, regardless of anything done with the apprenticeship act. We're still going to have to train people, whether we do it totally on our own and just ignore the government; or what we'll do is come down to where we see this thing play out. But that's a necessity in the industry, to have a skilled work force, and it has to keep up with market demands.

Mr Roberts: I think one of the reasons why it works so well in the construction industry, particularly the electrical side of the business, is because a long time ago we recognized that we sell labour plus some management expertise on the side, and there is an advantage to making investments in human capital, to train what could be your competitor's future workforce. Training an electrician is very important to us, and whether he works for ABC Electric 10 years from now or XYZ Electric is really irrelevant. The fact is that we've put the person out in the field.

You won't find that kind of spirit among industries that are competing selling automobiles. General training in industry is a very difficult thing to convince people to do, and that might be one of the major reasons why apprenticeship doesn't work for some segments of the economy.

The Chair: We have to move on to Ms Swarbrick. Thank you.

Ms Anne Swarbrick (Scarborough West): You referred to your very genuine concerns, your desire for balance in the training system as well as an assurance of the opportunity for effective consultation for the trades, and I appreciate that very much. I appreciate that any time we look at change in anything it always makes us a little nervous.

I understand that the minister has made very clear assurances, in fact included in answer to a question of mine in the Legislature, where I was asking on behalf of Sean O'Ryan and the plumbers' union about this, very clear assurances that the provincial advisory committees will be retained intact, and that in fact, if anything, they'll be enhanced through the existence of the apprenticeship reform council.

I know, with regard to your concern about legislation and the apprenticeship act—if it's amended, will you still have the same effective consultation process—I'd like to assure you that it seems to me that what you'll get is a much better one, because you'll not only have the same kind of consultation on the change of legislation that you would have now or any other time, but also you'll have the opportunity to not only discuss those changes within the provincial advisory committees but also where all of you get together, through the apprenticeship reform council, to have that kind of input and opportunity as well.

When you talk about the one in eight labour seats being reserved for you, given that the OFL is guaranteeing, I understand, an extra seat to be for the construction trades as well—and I know from my own background in the labour movement that once that starts that will become the established practice—that means you'll end up with 25% of the labour seats, which sounds to me fairly reasonable.

One question I've got for you—and I'm going to ask quickly a second question too and then let you respond to both—is, are you approaching the people who are organizing and designating who the management reps, the employer reps are going to be, to try and ensure that you have that same kind of effective 25% or some fair representation there?

My last question would be that you've talked earlier about, "If something ain't broke, why fix it?" I think sometimes when we look at things it's a matter of in whose interest are things working. I think one of the reasons for OTAB being created in the way it is to try and make sure that there are greater equity considerations. I don't want to be contentious with this, but I think your earlier slip in referring to desire to have a nine-man labour representation indicates a bit in whose interest so far the trades have been better working.

If you wouldn't mind, comment a bit about how you see the integration of more women into the trades—I know the carpenters have been doing some good work in leading things there—but I'd appreciate an answer to the issue of how we better integrate some of the equity groups like women into the trades.

Mr Roberts: With respect to the first question, I would gladly approach key, competent trainers among the membership of the Electrical Contractors Association of Ontario to sit on the board. Unfortunately, the only experience we have with a bipartite board right now is the Workplace Health and Safety Agency, and it just blew itself up. I'm going to have a hard time finding a representative from the electrical industry who's prepared to put himself in that same jackpot. I think Bob's already mentioned that the big problem you've got with Bill 96 is all the important questions about how the board's going to operate are going to be in the regulations. They're not in the legislation.

How can I, with confidence, go to somebody and say: "Hey, stick your neck in that noose. It's not going to be the same as the safety agency"? I doubt it. I don't think I would get very much in the way of support. That question of how the board's going to operate, who the constituencies are going to be, what the voting procedures are with respect to the three groups, the interest groups, labour and management, that's all got to be sorted out before you're going to get, I think, top-quality candidates. That's just my own opinion.

Ms Swarbrick: Just as a brief encouragement there, I think that since the governing board will have input into the regulations, that's all the more reason why you should make sure you've got effective representation there.

Mr O'Donnell: On the question of employment equity, we recognize that the electrical contracting industry is made up of primarily males, as far as the trades go, and we've made measures over the last couple of years at the recruitment area, because that's the only place you can change that imbalance, at the initial recruitment of apprentices. We just can't come up with female apprentices overnight.

But that's a tough sell, and it takes more than just our going out and selling it. Our whole culture's got to sell it too. These are high-paying jobs and women can be just as successful at it as any man. There's nothing that says they can't. We recognize that. We've got a vested interest in getting a wider base to recruit from and let the normal competitive factors determine who gets the job.

We realize there are problems in that area and we've made measures to increase the women and have been fairly successful in certain areas of the province, not as successful as people would like to think but compared to past history. I think the first women electrician got her certificate in something like 1982, so we've got a lot of work to make up.

As an interesting comment on where we have been successful, we had a female graduate in Toronto who got her C of Q a couple of years ago. We have a tendency to see a variety of public agencies poaching our employees. We've got an example of two who just started for the Ministry of Government Services who we had trained as electricians. We spent a lot of money and a lot of time on that. They meet those employment equity concerns, and the next thing you know they're working for somebody else.

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Ms Swarbrick: So you've got to get a lot more so you don't have to fight over so few of us?

Mr O'Donnell: We've got an historical record of training people for other industries. There are a lot of them in the industrial sector and the public service. There are a lot of companies that refuse to train people. They want in-plant electricians and they want somebody with eight years' experience. Who's going to train them?

Mr Ramsay: I want to thank you very much for your very frank and forthcoming presentation. I find these hearings very helpful. Yours especially has helped round out my education on this because I've been really stressing the importance of the local boards, but you've helped me understand how an industry such as yours would not be that well served by a local board. You've now made me cognizant of that and I appreciate that.

Before I ask a question as to how we might help you there, from your last recommendation in your conclusion, I just want to say that I agree with you about the incompleteness of this bill. Because I'm familiar with a lot of the background paper, I find myself sort of filling in the blanks, but when you really look at it for what's there, at first I thought it was really just a bare skeleton. When you really look at it, it's only just a few bones laying on the table; it's not even the bones put together into a skeleton. There's

really not that much there, and it's very worrisome because it is such a very important area that your industry has recognized historically.

What could I, as an opposition member, recommend as an amendment that would try to give you that autonomy for the training in your industry? Do you have any specific ideas of what we could do, or could you come back with some specific ideas, whether it's leaving you alone, out of OTAB, but somehow getting it entrenched that this is the system for your industry?

Mr O'Donnell: Our central concern is the apprenticeship process and reforming it. We don't have any problems with reforming the apprenticeship act; it's the method that it's going to be reformed by. The biggest thing we'd like to see is that left out of the OTAB process, and if there are amendments to the apprenticeship act, that they're taken out of that whole concept of OTAB, and OTAB goes on and looks after other programs. The actual reform of the apprenticeship act will determine whether it eventually falls into OTAB.

The different thing about apprenticeship compared to other training programs is that it's a regulated statute right now. The Ministry of Skills Development doesn't look after any other laws at the present time other than the apprenticeship act. So you have regulations that affect our industry, not only funds. We'd like to see that amended and reformed outside of the OTAB process. That's going to give us a certain leg up because 50% of the trades are construction. We feel we should have that representation when it comes to reforming it.

The Chair: Thank you. We appreciate your attendance here today. We thank the Electrical Contractors Association of Ontario and both of you for speaking on its behalf and presenting some unique views and interesting insights into this particular piece of legislation. We trust you'll keep in touch and be following the course of the bill through committee and into the Legislature again. Thank you, people.

CHAIRMEN'S COMMUNICATIONS COMMITTEE OF THE COMMUNITY INDUSTRIAL TRAINING COMMITTEES

The Chair: The next participant is community industrial training. Those people would please come forward, have a seat, tell us who they are, what their positions are and proceed with their comments. Please try to save the last 15 minutes of the half-hour for questions and exchanges.

Mr Peter Broadhurst: My name is Peter Broadhurst and I'm representing the chairmen's communications committee of the 57 community industrial training committees, commonly referred to as CITCs, in the province of Ontario. It may be of interest to you that these are independent corporations with their own policies geared to local conditions. Therefore, the job of chairman of the communications committee tends to be a rather dangerous occupation, but they are certainly reflecting very much the individual requirements of their own communities.

We were started in the late 1970s to distribute federal training funds in support of local employer-sponsored training. The terms of reference for these funds are very tight. As a result of these constraints, we have been subject to a fair amount of abuse by labour and social action groups for not supporting their worthy causes which, in general, were outside

the government regulations that controlled the funding that we were supplied.

We were basically organized to effect useful and timely training programs for local industries having troubles in the 1970s with getting skilled labour. Lloyd Axworthy, Canada's Minister of Employment and Immigration at that time, described the management of the previous centralized training system as similar to flying a B-52 bomber from the tail gunner's position: lots of information on the past but nothing useful for timely action in the future. By the time the data had been collected, analysed, discussed, planned and implemented, the affected organizations had either disappeared or the situation had radically changed.

The move to local initiatives was to reduce the lead time for useful training to be in place. It has taken many years to develop the relationship between the partners and the associated processes of the CITC system. We predict that the OTAB/LTAB system will take even longer to settle down as there are many more players, agendas and levels involved. I think that has to be borne in mind by the legislation and yourselves.

Over the past 20 years, we have painfully developed a system which purchases on behalf of employers some \$60 million worth of training for employer-sponsored training. In addition, we have been asked to participate in retraining the unemployed. The CITC system does deliver cost-effective training and is a unique Ontario system which is both flexible and responsive.

In Canada, we spend some \$70 billion on education and training. With the results we are achieving, 30% illiteracy, 30% dropout, a shortage of necessary skills etc, it's obvious that we have a major systemic problem and that we need to improve. To address the training component of this problem, it is proposed to import a European model rather than improve on existing systems and develop new made-in-Canada models where necessary.

The various European models, it should be noted, are currently under review in their own milieu as they have been found to be increasingly non-responsive to the new economy developing in all industrialized countries. The associated cost pressures forcing such companies as Mercedes to downsize 20,000 people will force much restructuring in Europe such as we have in Ontario, but this has been delayed in Europe by tariff and political action.

I'd like to go into some of the major differences between the European and the Ontario situation. Firstly, the schemes in Europe generally are national, thus facilitating national standards. OTAB is provincial, and the cars, Canadian Automotive Repair and Service, experience with auto mechanics indicates that we're not competitive on a national basis from an Ontario base.

The schemes in Europe are business-driven or business and labour only. Business and labour have taken several hundred years to develop this relationship, and it's also a different economy, with higher levels of indigenous industry rather than the Ontario branch plant system that we have in our industry.

In OTAB, we have a confrontational tradition between business and labour, together with additional agendas from the social action and education groups. The experience with the Workers' Compensation Board and the Workplace Health

and Safety Agency does not indicate that this model is suitable where rapid decisions and large funds are involved.

Another interesting aspect is that the German system uses predominantly private sector training institutions, whereas in OTAB one of the government agendas is the chosen instrument approach, to give preference to highly unionized public training institutions generally more interested in maintaining the institution and the status quo.

With regard to the OTAB proposal, I would like to point out the following specific concerns.

The board's charter lacks focus. Competitiveness and quality of life as the major objectives are in many cases contradictory and send confusing signals to the board, the OTAB staff and the public.

The government still retains top-down control of policy and funding through the four funding envelopes, and OTAB has no authority to flow funds from one envelope to another. Should they establish different priorities in the labour market, they would be precluded from reacting to those within the funds that are available to them without getting government changes in policy, which again will lead to more delays. It is still a heavily disguised top-down approach that didn't work in 1970 and will not work in the much higher rates of change in the 1990s.

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Membership of the board is from major groups more interested in the status quo than in innovation and new approaches. The entrepreneurial sectors of our society, independent labour and small business are generally unrepresented.

The proposed scheme has additional overhead levels and will be more costly. No cost estimates have been done or provided to you or anyone else. It is our suspicion that the additional funding required by this approach will come from an employer tax levy proposed by the Ontario Federation of Labour.

Local boards, the heart of the delivery system, will be structured by another top-down process, two ministries and two centralized elitist boards appointed by processes other than local selection. This will result in political appointments rather than hands-on local expertise and dedicated volunteers. Again, I raise the examples of the Workers' Compensation Board and the Workplace Health and Safety Agency as far as nominations to these types of boards is concerned.

There will be a significant number of issues to be resolved and decisions to be made as OTAB begins to function as a board. During this transition from government to private sector, the existing local structures, such as the CITCs, could continue to deliver service and provide continuity at the local level. To disrupt the central and local structures at the same time is a risky strategy, with the potential result that the needs of the labour force and the employers of Ontario will be left unattended. The legislation could make provisions for a phased approach with a significant adjustment period for OTAB prior to any decisions being made regarding the local training and adjustment boards.

The concept of OTAB was conceived in 1986, prior to the current recession and restructuring that Ontario is facing today. This new economy will demand more from a training system than we've demanded in the past, namely, firstly, a customer focus, staying close to the developing situation and understanding its effect on your community. A priority item

on the OTAB agenda is the relocation of 700 civil servants from various ministries to OTAB. This is an institutional focus and does not inspire confidence that labour market responsiveness is a key element in the OTAB proposition.

Just-in-time training: Change is moving very fast and major dislocations occur in less than a year. Even the IBMs and GMs are not immune from this process. Current training development lead times with our present system are in the range of four to 10 years from a needs analysis to graduating trainees. The OTAB proposal does not show any appreciation that time is of the essence and would appear to add additional steps and time to the process of delivering appropriate and needed training to the labour market.

Cost-effective training: Most employers and governments are under increasing cost pressures. The OTAB scheme appears to add costs, particularly in the administrative areas. This means fewer dollars being spent on actual training. We should really be seeking a more value added approach.

Is the timing right to introduce an entirely new system, with all the inherent startup difficulties and disruption of service? Rather than copying inappropriate European models, the government would have been better employed in developing a program that built on systems already in place that are more suited to our culture, and by a process of continuous improvement and public involvement improve their effectiveness and utility. Specifically, the government could take steps to:

Firstly, ensure that the secondary school system turns out 95% of its students with a functional literacy level suitable for the new economy. I think it's interesting that the introduction of the workplace hazardous materials information system legislation has really highlighted the deficiencies of literacy within our workplace. Most of our workers are attempting to identify the complexities of the chemicals with which they're working and the regulations they're exposed to. Literacy is a very key element in a modern economy.

Secondly, ensure that the colleges and universities serve their communities in a cost-effective fashion.

Thirdly, broaden the charter, base and funding of existing structures, such as the CITCs, from their present limited charter of employer-sponsored training to other aspects of community training; this would require broader terms of reference with government funding and plans that are going to be put in place.

Fourthly, expand the development work done on industrial sectoral training initiatives to other sectors in the economy. We've had the experience with the Electrical and Electronic Manufacturers Association of Canada in attempting sectoral training of workers in the electronics industry. We have the Canadian Steel Trades Employment Congress experience, and I think a lot of useful knowledge is being developed from that. I think it's worthwhile, very much as the previous speakers were talking about, that we look at the sectoral aspects of the economy in Ontario and take steps to work on that particular problem.

As members of the Legislature, are you confident you can demonstrate to your constituents that you have studied the situation and can personally assure them that:

(1) OTAB can provide the necessary training and adjustment services to assist its community organizations and institutions to

survive the new economy? It is our perception that it will not be responsive.

(2) OTAB can provide needed training and adjustment in a timely and accessible fashion? It is our perception that OTAB processes will never enable it to catch up with the very rapid changes in our economy at the rate we're experiencing these days.

(3) OTAB can provide training and adjustment in a cost-effective manner with no increase in direct or indirect taxation? It is our perception that the OTAB processes will be more costly than the present system, and the OFL lobbying for an employer tax levy is indicative that it recognizes this reality. We are also discouraged that no cost estimates for the system have been produced or published.

(4) OTAB provides a system in which people and their communities can feel they are full participants and not the victims of a confused élite? It is our perception that OTAB is still a top-down process, which, as I mentioned before, did not work in the 1970s and 1980s and will certainly not work in the times of fast-paced social and economic change that we experience in the 1990s.

I think it's the responsibility of this committee to say to the people of Ontario that you have studied the legislation and find OTAB to be the optimum solution to the most critical issue we face in Ontario today: our children's future in the new economy.

Thank you for your attention.

The Chair: We have five minutes per caucus.

Mr Sutherland: Thanks for your presentation. I must say I'm surprised by some of the comments you've expressed here. First of all, I will ask you to elaborate as to how you see this as a top-down process, since what the government is basically doing is letting the labour market partners determine the training priorities, both from a provincial standpoint and, then once the LTABs are set up, in conjunction with the federal government. Those are going to be local people with local expertise on the local boards. I would like you to elaborate on that.

I'd like you also to comment on your 30% illiteracy. Is that regarding people illiterate in general or in the English language?

The other comment I want to make is, you talked about just-in-time training and about the IBMs and GMs. Mr Carr is certainly well aware of what Sheridan does in terms of working with Ford in Oakville. Are you under some sense that those types of specific training arrangements that a Ford would make with a Sheridan won't be able to go on once OTAB is established?

Mr Broadhurst: As I indicated earlier, the OTAB we're looking at is basically a European model. If you recall what happened originally when, as I mentioned, the disquiet with the present system occurred, several deputy ministers and members of both the provincial and federal governments visited Europe and toured those particular situations. I also had the opportunity to visit Europe on that particular situation.

They then came back and summoned some conferences—again, the membership of those conferences was from various élite groups, to a great degree—in which they reviewed the

European system and came back with recommendations on how it could be applied to the Canadian situation.

It's interesting to see that the original concept that came out of that was for the Canadian Labour Force Development Board to take over the entire direction of labour market issues within Canada—the national issues and the national planning that was required. I think you would agree with me that it has now been reduced basically to an advisory committee. It does not have any executive capability whatsoever.

Rather than the provincial boards following the national prototype, we are in the front now of developing an executive board, and it is in the executive board situation—again, that was pushed generally by the government and the bureaucracy. The other groups, as I think some of the previous speakers mentioned, were only invited to the consultations during the spring of this year, so they have not had the experience. I think that indicates my point that the whole of the community was not exercised in the discussions of this particular system. It was a system where we said, "It's in place."

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I have a very high regard for Mr Allen's work. I think he's done a fabulous job with a very difficult situation. He was the first one who started the communication, getting other groups involved prior to that time. I think my position is that the concept was forced.

Your other comment was about the subject of just-in-time training. I'm really trying to show here that even the courses that are provided by Sheridan, if you look back into the data, have probably had a period of four years, from the time Ford said, "Hey, we think this is what we need," Sheridan agreeing with it, the funding arrangements put in place and those kinds of things. I've been involved in several of those, particularly with local initiatives and also with the aerospace industry. By the time you get the terms and conditions derived and you start to yield trained people, I think it's very fair to say that the minimum time appears to be somewhere in the order of four years. We have to do better than that.

That is one of the problems we have with the concept at the present moment in OTAB, where you have councils that get together and discuss it, then it goes up to the board for review and then you have to get the various training institutions fired up to provide it. I think you're not looking at any reduction in that particular time frame.

Mr Hans Daigeler (Nepean): Thank you for your presentation. When I was listening to your remarks I was just reminded of my own speech a little bit more than a year ago. I was the critic then for Skills Development. Frankly, I made the very points you're making today; I guess I was right on then.

However, I'm a little bit surprised to hear your comments today at this stage. I felt that over the last year, generally the reaction seems to have been relatively positive compared to other political issues that have been put forward. I'm just wondering why it is that you're raising some very serious questions about this project now. Was it technically not possible perhaps to be more in the public forum before? As you will understand, in the legislative process it is very difficult to stop the whole thing now. The substance of your remarks would indicate that's your preferred solution.

From the opposition point of view, as I indicated earlier, I would agree with you, but from a practical point of view, since there has been no radical opposition to it over the last year, the government proceeded. I'm just wondering whether you might want to comment on that.

Mr Broadhurst: As I commented, one of the differences between the European situation and the Ontario situation—for example, in England you have the Confederation of British Industries and you have the Trades Union Congress. They have developed positions over a period of time and they have means of exchanging information. It is a problem the business community has that we don't have an offsetting group to the Ontario Federation of Labour, which represents the views of organized labour in a very significant fashion. They have their own processes in which issues filter up to the top, and then that sets their policy.

One of the things that did come out of Bill 40 to a certain extent was the fact that it was the first time you got significant elements of the business community that were somewhat pointed in the same direction for once and were developing a common position. One of the things we haven't had in the past, in order to help you in your work as opposition, was the fact that we didn't have such a business consensus or a mechanism of bringing to you what business was thinking. If you asked that question, "What is business thinking?" prior to Bill 40, we were all over the map. I think that was probably the number one problem you would be wrestling with.

Mr Daigeler: I appreciate that. My guess is, these are the realities of life.

Mr Broadhurst: If I might just comment, one of the things that has come out of the OTAB project has been the setting up of reference groups. That is one of the things the business community is very vigorously addressing at this point in time: to get a reference group together that can provide input to the eight members on OTAB. That has not been occurring in the past.

Mr Daigeler: With the establishment of OTAB, where do you see the future of the CITCs?

Mr Broadhurst: The basic LTAB, as I mentioned, the local board, is essentially a top-down process. The configuration of them will be decided by the four groups working together. The OFL has indicated that it will define the members on those particular local boards, which has been a source of some concern to many local communities that, rather than having the election done on a local basis, it will again be a top-down from the OFL-type direction on who is on those particular boards.

We are basically going to be phased out of the situation. You have to recognize that there are only a significant number of volunteers or people who are interested in this particular topic. We believe a significant number of the people presently involved in the CITC situation will be involved in the local boards, but the concept of local boards will not be there.

However, if the response time is so long, as I've indicated, then very much the local business community may have to revitalize the CITC approach or make independent arrangements for training. If the lead time is the four to eight years I've talked about and we have these particular training needs, then business is going to have to work with local labour and

say, "Hey, we have to fix this particular problem," which takes us back to the 1970s when I first became involved in the movement. Therefore, it would be a complete circle.

Mrs Witmer: Thank you very much for your presentation. I take a look at the four questions you've asked us on the back page. "As members of the Legislature, are you confident you can demonstrate to your constituents that you have studied the situation and can assure that..." I guess, in every case, the question you ask, I would personally have to say, "No, I am no longer confident." I guess one of the things I've been hearing in these hearings, and certainly from my own community at home, is the fact that there was originally optimism that OTAB could indeed respond and provide the necessary training and services to assist the local community and help us all survive the new economy. But when the bill was introduced, unfortunately, much of the dialogue, discussion and input, particularly from the business community, seemed to have been lost and there seemed to be more emphasis on the positions that had been put forward by the labour movement.

That certainly is the concern I'm hearing on a regular basis. I can tell you that we are concerned that there would be an employer tax levy introduced. I guess I'd like to hear from you what you feel the impact of such a levy would be. I know it's "suppose," but what impact would it have?

Mr Broadhurst: It depends. I think the number generally being talked about is sort of a minimum of 3%, which would have extreme significance, based on the other taxes that the business community has been involved with.

One of the interesting things that happened from the difference between what we call the green paper, which was the original proposal, and what is in the legislation—one of the things that was sprung on us at the round table was changing it from eight business to eight employers.

Now, once you've changed the word from "business" to "employers," you then open it up to the public sector, which I think comes under the gorgeous title of MUSH-ABC, which is municipalities, utilities, schools, hospitals, agencies, boards and some other element. But there are a significant number of employees involved in that. They would become eligible then for the OTAB training, which up until now, as I say, has had separate training arrangements.

So business is suspicious or worried that the amount of funds allocated to training at the present moment, where we talk about transferring the ministry's budget to OTAB—as you add these additional tasks to the OTAB, there will be additional funding requirements.

As the minister of finance has indicated he has a problem with money at the moment, then obviously he has to find other sources of money, and the training levy is certainly one. I think the sort of scope we're looking at, the 3% number, is probably very low and it would be higher than that if they had to do an adequate training job together with the additional layers of administration that are talked about.

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Mrs Witmer: I guess there seemed to be hints throughout the paper that there's almost a subtle move to eliminate the private sector involvement in the entire OTAB process, and we see that when we look at the government favouring the

highly unionized public training institutions as well. We see the fact that independent labour and small business are totally unrepresented. I'd like to hear your comments. How do you feel the other 66% of the people in this province who are non-organized should be represented on this board? And what about small business? How can we ensure that those individuals who really are creating most of the new jobs in this province are represented?

Mr Broadhurst: It is a difficult problem. I think it was addressed in the CARS program that I referred to earlier, where mechanics were designated as representatives, but based on their knowledge of the situation and what the training requirements were. So I think that within the OTAB environment there would be a similar recognition, certainly at the local levels, of who is well informed and not necessarily unionized, but familiar with the training requirements of their particular industry or trade within that particular community. I don't think there would be very much problem in having independent labour represented, certainly at the local board level.

The Chair: Thank you. I want to thank you, Mr Broadhurst, and you, Mr Markle, for your interest in this matter, for participating in this process, for your attendance today and your insights on behalf of community industrial training committees. You've made a valuable contribution and the committee is grateful to you. We trust you'll keep in touch. Take care.

Mr Broadhurst: Thank you, Mr Chairman.

PRE-EMPLOYMENT PROGRAM, NIAGARA COLLEGE

The Chair: The next participant is the pre-employment program, Niagara College, if those people who are presenting that submission would please come forward, have a seat, and tell us who they are. We've got your written submission. That will form part of the record by virtue of being filed as an exhibit. Please seat yourselves in front of a microphone. We've got one more spot over here. Why, oh, why can't we be in the Amethyst Room today? Go ahead, people.

Ms Frances Chandler: We want to open with a song that two people who met in this class wrote. We're a pre-employment class from Welland and this is how we wanted to open our presentation today.

The Chair: And Hansard will do its best.

Mr Carr: Sing along, guys.

Singers:

We are just the poor ones and our story's often told
Of declining self-esteem
But we feel we don't deserve this, tell us what is wrong
All lies and jest,
Still the government hears what it wants to hear
And disregards the rest.
We have left our home and our families
To express our points of view
That we really are not strangers
Only people of this verdant country running scared
Laying low, seeking out a better future
To give our children room to grow
So they'll have a country only they will own.
Asking only workman's wages,

I come looking for a job

But I get no offers

Just a "Come on, you can do it" from Queen's Park avenue
I do declare,

A job would surely help me if only you would care.

Now I can't get hired in Canada, should I go to
Mexico, Mexico

Where the taxes of this country are not bleeding me
Leaving me with no home.

The clearing stand the workers, we are fighters by our trade
But we carry the reminders

Of every job that laid us off or cut our wages till we cried
We are angered, we are shamed

We are leaving, we are grieving

But our pride, it must remain.

The Chair: You've certainly captured the committee's attention, and more than a few people have gathered in the hallway at the doorway.

Ms Chandler: That was our point.

The Chair: You got it.

Mr Graeme Stewart: I'd like to introduce myself. I'm Graeme Stewart. I'm part of this class at pre-employment training, and sitting beside me is Lori Sylvestrie.

Thank you for providing us with the opportunity to present our views on training to your committee. The format of our presentation will be as follows. First we will provide a brief history of our group. Next we will discuss three issues relevant to our situation. They are access to information, cooperative education and funding. Finally, we will make recommendations.

We'd like to begin by discussing who we are and why we find ourselves here today.

We are a group of 18 unemployed people from a wide variety of occupations and cultural backgrounds. Prior to this recession we were productive, employed individuals. We paid our bills, contributed to our communities and felt fairly secure about our futures.

This situation changed drastically, however, over the last year, as downsizing and bankruptcy have resulted in the loss of our livelihood, self-esteem and social networks. In our search for employment, we eventually found ourselves enrolled in a pre-employment program at Niagara College.

The purpose of this course is to provide us with academic upgrading, a sense of direction in our working lives, an introduction to various community resources and some interview and résumé preparation skills. This course, although structured, is flexible enough to provide us with the opportunity to invite guest speakers, one of whom was Mr Kormos. He invited us to participate in this OTAB hearing and we accepted.

In order to prepare for this presentation we began by researching the available training initiatives. In our quest for information we contacted various ministries, school boards, politicians, libraries and federal departments. We felt as if we were bounced around "like balls in a pinball machine between federal and provincial programs." That's a quote from Richard Allen, January 1993. This frustrating exercise led us to conclude that relevant information was hard to obtain.

We also discovered that there was an array of confusing, makeshift programs delivered by a myriad of provincial and

federal bodies. These programs seemed to be developed in isolation, with various department or ministry personnel being unable to provide a complete listing of all available resources. In addition, they seemed to be in competition with one another, all fighting for that ever-confused unemployed person's business.

This inability to locate, understand, interpret and consequently utilize current training initiatives was one of the several barriers we encountered. Other impediments to access were high tuition, day care and other related costs, a reduction in income and the ever-changing, confusing government policies. The recent announcement by WCB is a perfect example.

In such tough economic times these roadblocks should be eliminated so as to allow the confused masses easy access to training programs. Ontario has been hit harder than other provinces by this economic slowdown, so it is imperative that information about retraining be delivered in an expedient fashion. "The chief objective has to be to simplify the system for workers of Ontario and Canada," again quoting Richard Allen.

Certainly we understand that civil servants and politicians from all levels of government are unable to have an extensive knowledge of every program; therefore, we suggest a centralized information centre be created. This centre should be conveniently located and accessible to all people. It should be staffed by individuals knowledgeable in all government training programs and career counselling as well.

Ideally, such centres should be established in numerous locations across the province. They should be well-publicized and permanent, not funded on a year-by-year basis. In addition, programs from all levels of government should be listed at these centres and readily available to those who require them.

We understand from our background reading that the Ontario government is attempting to address our concerns by forming OTAB. This committee, although comprising various partners, seemingly fails to include members of the unemployed. Hopefully, OTAB will address this issue, especially as it relates to accessibility.

The lack of access to information was a problem we encountered when preparing our presentation. However, we did accumulate some program data, thereby allowing us to formulate views on existing training initiatives.

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We have come to the conclusion that cooperative education is our preferred method of training. This combination of in-house and academic skills acquisition is advantageous to both employers and students. It is especially applicable to adults, such as ourselves, who are in the underserved age group—25 to 50. Co-op education provides adults in this age group with direct employer contact. This contact can be the key to future employment as it provides the employer with a cost-effective method of training and evaluating potential employees.

Recruitment and training costs can be prohibitive for many businesses, so they are looking for individuals who already possess relevant skills. Cooperative education provides workers with the chance to acquire and utilize these skills in conjunction with their academic studies. Eventually a close association between the educational institution and employer can develop. This liaison ensures that communication lines

remain open between the business and academic communities, thereby ensuring relevancy in curriculum design.

Relevancy is a key issue not only for the employer but the adult learner as well. Adults in the 25 to 50 age group are struggling with domestic and financial responsibilities, so they don't have the time or money to enrol in inappropriate institutional training. They appreciate the fact that they must upgrade their skills, but they have difficulty reconciling this realization with the knowledge that they have a family to support.

Academic upgrading for this group must be intensive, appropriate, affordable and transferable. Retraining programs must be designed for and by businesses in conjunction with local educational institutions and the participants. They must include the teaching of technical skills resulting in a provincially recognized diploma or certificate. We believe that cooperative education addresses these issues.

Cooperative education is our solution to addressing many problems associated with adult retraining. We understand, however, that the delivery of and costs associated with instituting such programs can be problematic. Nevertheless, we feel that although funds are limited, there is latitude in how government can dispense existing moneys.

As an interested group of education consumers, we are disturbed as to how provincial funds are currently being allocated. Specifically, there are four areas of concern we have identified as needing attention.

These concerns include: (1) The need to ensure continued provincial fiscal accountability for education while devolving authority for curriculum design and structure to local boards, (2) the need to reallocate existing funds rather than create new money, (3) the need to encourage the private sector to creatively invest in training, and (4) the need to create a cooperative atmosphere between all government agencies, such as WCB, to ensure barrier-free access.

Our first point concerning fiscal responsibility, local authority and curriculum design centres on the issue of financial flexibility. Although we agree with the proposed funding guidelines—for example, the money being channelled through OTAB—we have reservations concerning provincial interference in the program delivery system. We feel that community boards will be more adaptable and capable of administering training dollars at the local level.

This grass-roots input can better address regional issues. The flexibility associated with local control allows participants to create relevant, timely programs that meet their community and personal needs. We would suggest that colleges work closely with local boards to design, deliver and fund these cost-effective courses.

Since cost-effectiveness is of extreme importance, we recommend that funding for co-op programs be made available from existing budgets. Presently, dollars are divided among a variety of disjointed training programs. We would suggest that that money be consolidated and distributed by one centralized agency. This move would result in the elimination of program duplication and therefore cost savings.

We understand that our suggestion to consolidate provincial funds may not be entirely realistic. Therefore, a method for raising capital from the private sector must be created. There are differing views as to what approach would be more advantageous.

One suggestion would be to impose a levy on employers. This levy would then be refunded to employers who participate in training initiatives. We believe that the imposition of a levy on businesses would discourage new industries from locating in Ontario, thereby reducing skill acquisition opportunities for workers. Without these new skills, we can't possibly attract modern high-tech industries of the future. Eventually, our ability to compete in the emerging world market would be eroded, resulting in a reduced standard of living.

A more positive approach would be for the province to provide matching grants or tax breaks to companies that contribute to skills development through a cooperative education program. An example might be some sort of cost-sharing scheme whereby employers and government split the required monetary and in-kind expenditures. This policy would show the private sector that the government is seriously committed to retraining. As a result, businesses would be more inclined to invest in Ontario creating more jobs and an increased tax base.

Employers would be encouraged to enter into cooperative education programs through a series of tax breaks that would be provided in exchange for on-the-job training. We believe that in so doing, the government would be fostering a three-way partnership based on mutual cooperation. After all, it is in everybody's best interests to have highly skilled, employed workers living in Ontario.

In order to achieve optimum results from this three-way partnership, it is necessary to ensure that all government organizations work in concert. Unfortunately, this harmonization isn't occurring, as has been indicated by the recent decision of the Workers' Compensation Board. For some reason, WCB has decided to eliminate coverage for co-op students on work placements. This policy change will cause employers to abandon their co-op commitments, resulting in the loss of a useful training tool. This decision is a perfect example of one agency frustrating the efforts of another.

Let us hope that similar frustrations can be eliminated in the future, thus allowing government, business and the employee to work together for a better future. We hope that with this input, government can be more responsive to the educational needs of adults. With our suggestions on accessibility, cooperative education and funding, we hope that OTAB will be better equipped to institute relevant training programs.

In summary, we would recommend the following:

(1) That co-op education for adults include a wage subsidy component to ensure the participant a minimum level of subsistence while he or she is in the classroom training.

(2) That day care, tuition and other related costs be waived or reduced.

(3) That financial incentives be provided to employers to encourage them to participate.

(4) That employers and educational institutions continue to discuss and create relevant and flexible courses.

(5) That information regarding these courses be current and available through one central point of access.

(6) That provincial colleges design and deliver accredited training programs.

(7) That all levels of government and their respective agencies cooperate.

(8) That the unemployed have a stronger voice in designing and implementing these programs.

(9) That local boards be given budgets to implement these programs.

(10) That current training and social programs combine to cover co-op education costs, thereby ensuring new provincial money is not involved.

(11) That the Workers' Compensation Board ensure coverage of co-op students in work placements.

We thank you for the opportunity to address your committee.

The Chair: Thank you. Five minutes per caucus.

Mr Daigeler: Thank you for coming all the way up here and making the effort of researching training programs and preparing this brief. I think you're to be congratulated on doing practical learning about the process in this way, and I'm sure that is useful for you.

I appreciate your insistence on the need for more co-op education, because it seems to me that has been a very successful initiative wherever it has been instituted. Do you know a little bit more about the success and how many co-op programs are established in your area where you come from, how they're working there and whether expansions are planned?

Mr Stewart: All I know of is the co-op programs that exist now in the colleges. There are lots of co-op programs available. The problem for our age group is that we can't access them, because they are either too long or we can't get the funding for them. We have financial responsibilities at home. We're not 18-year-old kids. We have to provide for our wives and our children, put a roof over our heads and feed ourselves. We just cannot access the co-op education system as it stands now, so what we want is more access to the existing co-op education program. We don't want to set up a whole new system; we just want access for adults in our position.

Mr Daigeler: But there are co-op programs in your area at the present time?

Mr Stewart: Yes.

Mr Daigeler: And who are the people who do that?

Mr Stewart: Niagara College provides many co-op programs.

Mr Daigeler: And the school boards as well in your area?

Mr Stewart: I don't know if the school boards do. There are a few courses, but I think generally most co-op programs are run through the college system.

Mr Daigeler: It's basically single students then who are involved in this?

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Mr Stewart: It's mostly for students who just came out of high school and are getting involved in this as a start to their career. A lot of us are in the position we're in because of downsizing. I myself was laid off from General Motors in St Catharines. Once you've been out of school for 10 or 15 years and you've had a fairly secure job and it leaves, you cannot just go back into full-time study, because you have financial responsibilities. So we believe that co-op education, if we could access it, would be the ideal for us.

Mr Daigeler: I appreciate that and I think that's a very useful comment in terms of all labour development. I certainly would encourage the government to take another look at the whole co-op education effort, realizing that it has been very successful, in view of expanding it and doing something in the line you are suggesting. I do hope the government will listen. From an opposition point of view, I think we will bring that up time and again to remind those who are presently making decisions on this about the usefulness of this proposal.

The Chair: Thank you, sir. Ms Witmer, please.

Mrs Witmer: Mr Carr has a question too, but I would like to express my sincere appreciation to the presenters and those who provided the music and all who have come today. I have to tell you I was quite touched by your presentation. I certainly deal on a regular basis in my constituency of Waterloo North with individuals just like yourselves who feel very frustrated because there isn't any access to the system. I feel that I can't help them and I personally find it's very frustrating and it's very frustrating for my staff, so I do know how you feel.

I'm also the Labour critic for the PC party and I have long supported co-op education. In fact, in my previous role as a school trustee, it was an area where we did see tremendous progress and we did develop some programs in our community where adults could opt in, but we realized that they needed a smaller time period. They weren't young people, they had families to support. I actually have two women working for me in my office who came back into the job market through the co-op program, so I'm very supportive.

I notice here several times you make reference to the WCB action to eliminate and really put another roadblock in the way of co-op student placements. Certainly I have Conestoga College in my community. I have those individuals who train to become ambulance attendants, and I can tell you that this policy is having a very detrimental impact. I would like to ask you, you mention it several times, what impact is it having in your community? What are you hearing from employers in the community colleges?

Mr Stewart: The only thing I can speak on is what I've read in the paper. So far we've had an official from the city of Toronto say that they've cancelled hiring of students for the ambulance service. There was a figure in the Toronto Sun today that 70,000 co-op job positions could be eliminated, simply because companies are not going to want to take on students if they have this extra burden of providing the workmen's comp benefits.

Mrs Witmer: That's right.

Mr Stewart: That's very scary, especially since we believe that co-op education is the way of the future. Why is it that one agency now is trying to eliminate it basically, by cutting off the funding for this workmen's comp or making the employer pay for it, which then discourages employers from even participating in a program?

Mrs Witmer: That's right. There's no incentive left.

Mr Carr: I have a question relating to funding. Last week, Richard Johnston, who is a former NDP MPP and is now basically in charge of colleges in this province, came before the committee and told what a great job they're doing producing jobs, that 80% of the people coming out of our colleges are getting jobs. He explained how it's not just kids

out of high school, that people going back in the workforce have great charts. We're doing a terrific job getting people back into the workforce when they've gone to colleges.

He also said that because of the lack of funding by the provincial government they're in a very serious crisis. They're now going to start limiting enrolment, tuition fees are going to rise, and he painted a very scary picture of the future.

I asked him this question yesterday and I'd like to ask you: Knowing that there's going to be no more money from this government or Liberals or Conservatives, regardless of who's in, and that OTAB will spend \$500 million to set up, if you were the Premier and you had \$500 million, where would you put it, in OTAB or into the colleges and universities? Where would you make your choice?

Mr Stewart: I think the setting up of this OTAB is actually a very positive step, because it's taking the power away from here and bringing it back down to the local level. I think the local level is where, with input from the local businesses and the local labour unions and so on, you're going to get the meat of the thing done. If we just have the bureaucrats down here in Toronto telling us how to run these programs, it's not going to work.

With that \$500 million, I would set up the OTAB, because you have to change the whole structure. Just pumping \$500 million into the college system as it stands now is not going to work. You have to change the fundamental system of how it's set up, and that's why I would use the money for the OTAB.

Mr Carr: Actually, as you know, what's going to happen is, at the time we are setting up training programs, we are going to be—and this isn't me saying this, this is Richard Johnston saying that we're going to be limiting access to the colleges, and I was just interested in what your thoughts were. Just so you know, Richard Johnston said basically a combination of the two: you can do a little bit, put a little bit into colleges and the other one as well.

Ms Swarbrick: Richard said exactly the same thing he did.

The Chair: Go ahead, Mr Carr.

Mr Carr: Except he wanted part of the \$500 million. I don't think he's going to get part of it.

The Chair: Thank you very much, Mr Carr. Mr Martin.

Mr Tony Martin (Sault Ste Marie): Listening to your presentation and also to some of the words in the song at the beginning, I picked up, for me anyway, a disturbing sense of what I would consider a misunderstanding around what in fact our tax dollars pay for and how, in the end, they come to be of benefit to the business community.

I suggest that OTAB will, in the end, be a cost saving to a business, as is WCB at the moment. I work very closely with my own economic development corporation in the city of Sault Ste Marie, which is just across the border from Michigan, and we're always looking at how we attract business to our area. Surprisingly to a number of people, particularly in the business sector, it has become obvious to us that there are significant cost savings in the areas of the ability of companies to offer health care benefits to employees.

The WCB cost borne by the companies in Ontario, because of the system we have, is much less than that in the US which is run through a private-sector insurance initiative. In this instance, we think the provision of an OTAB structure will again accrue

some cost saving to the industry because of the coordination and the participation by government and labour in it.

I suggest to you that in fact going to Mexico, even though you may pay less taxes, will not provide you with the kinds of benefits you have now which help you go to school, such as your hospitalization and the cost of your education.

The Chair: It's up to you if you don't want to leave Ms Swarbrick any time.

Mr Martin: She said I could have—

The Chair: You could have all of her time? Okay. Go ahead, Mr Martin.

Mr Martin: When you go first, this is what happens anyway—and that in fact in the end OTAB, and asking business to contribute somewhat to that, will accrue to them. Any comment on that, or any understanding?

Mr Stewart: You're saying that because of the workmen's comp they have lower—what do you call it?—expenses here, so it does attract business. But if workmen's comp is going to change the policy because they're \$11 billion in debt or whatever, if the employers have to pick up the costs for insuring those students on the job placements, they're not going to want to even take on students, regardless of whether they say it's good to do business in Canada and everything else.

Once you put a roadblock in front of people, they're going to avoid hiring students, and the workmen's comp is a roadblock. If I'm an employer and I have to pay the premiums to cover work placement students, I'm not going to take on work placement students. It's as simple as that.

Mr Martin: I'm just trying to make the point to you, and I guess I'm not making it so you understand, that a lot of the programs we offer are at a cost saving to business at the moment. All we're trying to do is maybe tip the balance a little bit so that we can, as a government, continue to offer some of those programs that are very valuable because, at the moment, if we don't do something about it, we'll lose it and then we will all hurt even more than we are now.

The Chair: Thank you. Ms Swarbrick, please.

Ms Swarbrick: Oh, thank you. I didn't think I'd get a chance.

First of all, your presentation is wonderful. Second, a couple of my colleagues said, "Would you please first straighten out one thing that Mr Carr had said?" and that is that the \$500 million is not the setup cost for OTAB. The \$500 million is the cost right now of the 48 different training programs now being run by 10 different ministries. Effectively we will just be moving the \$500 million over into this.

Other than how wonderful your presentation is, I wanted to say two things. One was to clarify the situation about what the WCB has done right now. They haven't eliminated coverage for co-op students.

Mr Stewart: They're requiring the employers to.

Ms Swarbrick: What they're saying is that students should be covered just the same as workers, because if students get injured then they need protection the same as the workers would in that case. Right now, there's an interim policy where employers are not being charged premiums in the interim.

The ambulance problem you're referring to is just that, in terms of public sector agencies, they don't pay premiums to WCB. What they do is that when there is an accident they pay the full cost of the accident. The problem right now is the municipalities, for instance, feeling that they don't want to take on that possibility of having to compensate in the future.

But the situation right now is that we're going through extensive consultations and looking at the situation to end up, hopefully, with a decision by the end of February. If you want to address your concerns in a letter to the Minister of Labour, I would encourage you to do so. Right now, there are no charges but by the end of February presumably there would end up being a policy. You might want to contribute your input to that.

Lastly, in terms of the input of the unemployed with regard to the OTAB structure, it's funny, I was thinking of that yesterday myself and in terms of the overall governing body trying to think of how that could work. There I don't see it could, because hopefully somebody wouldn't stay unemployed for so long to be on there. You'd have this constant turnstile, which wouldn't be helpful unless you paid the person and made him a professional member of the governing body and then he is not unemployed either. But I think there is going to be an entry/re-entry council and that's probably where there should be looking at how can you make sure that the unemployed have a voice in the entry/re-entry council.

Mr Stewart: I think our main point with that was that it is élites who are on these boards. You have the business élites; they have their political agenda. You have the labour unions; they have their political agenda. Even the teachers and educators have their own agenda that they want. What about the actual students, the people who are trying to access it?

Ms Swarbrick: That's part of the attempt through the social equity people.

Mr Stewart: Our main point was that we don't have the access as a group. We're having people speak for us. The labour unions are speaking for us, supposedly. The business community is speaking for us, supposedly. The teachers, the social equity people are supposed to be speaking for us, but we don't have any voice in it. They're telling us what they're saying for us. Well, we have voices too. We want to be heard.

The Chair: You're saying you're quite capable of speaking for yourselves if only somebody would give you the opportunity and access.

Thank you, Mr Stewart and Ms Sylvestrie and your colleagues who joined you here at Queen's Park today from the pre-employment program at Niagara College. You have presented a very effective and insightful presentation. The committee, I tell you, is grateful to you and appreciative. You presented your views with a level of artistry, perhaps even flamboyance, that the Legislature has come to expect from people from Welland-Thorold. We thank you for it. On a very personal note, I want to tell you how exceptionally proud I am of you for your contribution today and I look forward to hearing more from you, as I'm sure my colleagues here do.

Thank you, friends. Take care. Perhaps we'll go up to the Premier's office and do some busking. We're recessed till 2 o'clock.

The committee recessed at 1204.

AFTERNOON SITTING

The committee resumed at 1401.

NORTHWESTERN ONTARIO
WOMEN'S DECADE COUNCIL

The Chair: We're ready to resume. The first participant this afternoon is the women's coalition on training. Please come forward and seat yourself, tell us your name, your title or position, if any, and proceed with your comments. Please try to save the last 15 minutes for discussion and dialogue. Go ahead, please.

Ms Ruth Bergman: Thank you. My name is Ruth Bergman and I represent the Northwestern Ontario Women's Decade Council, the women's training coalition, specifically Fort Frances-Kenora, the proposed district 22.

You have the brief before you. I would like to say good afternoon. It's a pleasure to be here. I welcome your questions and I welcome the opportunity to address the committee about the perspective of northwestern Ontario women.

As I said previously, I'm here under the umbrella of the decade council, specifically the Kenora-Fort Frances district training coalition. The content of this brief has been a collective effort. By means of fax, phone and personal visits, this brief has been compiled not only by myself but also with the assistance of Marion MacAdam.

First, I'd like to give you a few statistics. I'm sure you're familiar with some of them but I'd like to re-emphasize them.

Labour force: Almost 66% of new entrants into the job market between now and the year 2001 will be women. Women now spend between 34 and 37 years in the paid labour force, a term roughly equivalent to that of men. The number of women working or looking for work—the labour force participation rate—rose from 35% in 1966 to 58% in 1990. The participation rate of men in the labour force decreased from 80% to 76% over the same period.

Occupational segregation: 84% of working women are employed in service industries, particularly community, business and personal services.

Wages: The educational level has an impact on the ratio of female-to-male earning, but in all cases it continues to be low. The ratio ranges from 60% for earners with grade 8 or less to 70% for those with university degrees.

Part-time work: 70% of all part-time workers are women and 25% of all employed women work part-time.

I was asked by the Ontario Training and Adjustment Board secretariat to make a presentation. Let me make it clear at the outset that the real expense to participate in a one-day Toronto meeting is \$1,380. It includes the items that I've listed: the airfare; the hotel accommodation; the miscellaneous—the meals, the taxis etc; and the dependent care support, or child care. These are real barriers. They are upfront costs that women are expected to pay no matter what they are participating in, and as the statistics show, the resources are not there for them to participate.

This is the upfront cost and I will be reimbursed. This upfront travel cost is the barrier that I spoke of, and it's systemic. It goes all across the areas we want women to be involved in. It has to be addressed.

In our district, we face difficulty in getting women to participate on boards and committees because of the barriers. OTAB must let women know that their participation is welcome. We know that our reluctance to participate stems from societal barriers and a lack of self-confidence, and a lot of times a lack of confidence in the political process and in the justice process.

The uneven level of equity awareness and activity would be eliminated if clear equity guidelines were in place. We strongly recommend that it is the role of the Ontario Training and Adjustment Board to set the standards of excellence and to link employment equity policy to funding.

Employment equity guidelines: We find that in some cases, equity principles are being practised unknowingly—for example, trainers-funders advertise courses to encourage female participation—but the implementation of equity principles is not uniform across any region. Voluntary affirmative action plans and measures do not work.

To support the principles of access and equity in labour force development, equity guidelines must include goals to help groups with readiness to improve working involvement and satisfaction; retain equity through good integration practices and a harassment-free environment; introduce special methods, if required, to remove discriminatory barriers, to "neutralize" discrimination; and create gender-free language, gender-free curriculum content and advertisements that all reflect encouragement and clearly define results possible from the training that is given. At present, most of the advertisements simply welcome participation from women: "It would be nice if you applied."

We have heard the argument: "OTAB can only be held accountable for things over which it has direct control. Its capacity to ensure the strength of the public education system is limited since it will be only one funding source in a very large complex system." That's from a letter from Peter Landry of the OTAB project to Ms Karen Lior, Ontario Women's Action on Training Coalition, December 2, 1992.

The importance of effective linkages between the province and the Canadian Labour Force Development Board: This is essential. The Canadian Employment and Immigration Commission training restrictions make women doubly disadvantaged. A significant number of women cannot gain access to Unemployment Insurance Commission training programs because they are not in the paid workforce. They are denied access to employment which would qualify them for unemployment insurance. If you're not employed, you can't get unemployment insurance. For those lucky to be in the paid workforce, as of April 1, 1993, they will have to prove "just cause" for quitting.

Poor women who have a record of being in the labour market will be hardest hit by the unemployment insurance cuts. Every worker is well aware of the intimidation and power that the employer has when an employee charges harassment, sexual harassment, discrimination or unsafe working conditions. Even if the worker can stare down the employer, the burden of proof rests with the claimant, with the woman. Women who experience any of the above problems find the

route for correction degrading and painful, and are in all probability among the "no shows" and therefore the "no statistics."

1410

Present employers should bear the responsibility for their employees. Women whose jobs are vulnerable because of new-skill technology should and must be reskilled and retrained, not replaced.

It is critical that you as government leaders work effectively with your federal counterparts to ensure that local residents are able to practise lifelong learning and obtain the necessary skills for rewarding employment.

Our specific recommendations about proposed sections of the act and regulations, and you have the act, I would assume:

Section 4, in "Objects," paragraph 5, that the wording be changed to "To ensure that publicly funded"; in other words, take out the words "To seek"; they're waffle words. The government is committed, the members, I believe, are committed—all the members of the Legislature—to equity, employment equity and to pay equity, so you should not be seeking it; you should ensure it.

The same section 4, "Objects," paragraph 9, the wording again, delete the "To seek" and make it "To ensure access and equity."

Section 4, "Objects," paragraph 10, the wording be changed to "To identify and to eliminate systemic and other discriminatory barriers," not "To seek to"; to do it.

Section 30, "Regulations," clauses (c), (d), (e), (f), (i) and (j) must have the power to enforce fair, equitable legislation that ensures equity and full participation by all. In other words, we'd like some teeth in it.

The benchmarks for excellence will be set by the Ontario Training and Adjustment Board, and it is ongoing, it is new. I am thrilled with the government for embarking on this. I think it's going to prove well for all our citizens of Ontario.

I'd like to thank you for your attention. I would welcome transcripts of your hearings and we look forward to changes and enhancements in this bill that will benefit not only women but everyone in Ontario. The Ontario training and adjustment bill will impact both on present and future participants in the labour force and will strengthen our economy and our quality of life in this province.

The Chair: Thank you, ma'am. A portion or all of the Hansard transcript of this committee's hearings is available to you or any other person who wishes to call his own MPP or the office of the Clerk, and they're available free of charge.

Ms Bergman: Thank you.

The Chair: Ms Witmer, five and a half minutes, please.

Mrs Witmer: Thank you very much for your presentation, Ms Bergman. I appreciate the effort you have made. I've never visited your community; however, I think some of the issues you speak about are certainly common throughout the entire province.

Last night I was on a panel discussion. There were six of us. I was the moderator. The other five panellists were males. It was to discuss educational standards. At the end of the evening, several people came up and made the comment that there was one female and five males participating in the discussion. The organizers realized that they had made a mistake

and should have taken a look at making it more fair and equitable.

I'm interested in knowing who you are, who makes up your council. As I say, I'm not familiar with the Fort Frances-Kenora community, and I'd just like to know what type of individuals, backgrounds are represented.

Ms Bergman: The Northwestern Ontario Women's Decade Council is based in Thunder Bay, and we're sort of under its broad umbrella. Our women's training coalition is a group of women who are usually community leaders, who are involved in training, involved in education, involved in women's issues and the barriers that women face. Some of us are able, through our employment, to travel among the different communities, such as Red Lake, Sioux Lookout etc., and we formed linkages. It says "coalition" and that sounds really grand, but really it is a fax phone and, when we can, getting together over lunch; that's the reality. That's what the coalition is.

Through my work with the women's training coalition and the decade council, I'm on the steering committee for the Ontario Women's Action on Training Coalition, along with a great number of other women who can speak on behalf of women and do; visible minorities, the whole gamut of participation. We submitted Obstacles and Opportunities, the women's response to Skills to Meet the Challenge: A Training Partnership for Ontario, July 1992.

Mrs Witmer: Actually, I have a copy of that.

Ms Bergman: I do a number of other things. I have a lot of different hats. I'm also a grandmother.

Mrs Witmer: I appreciate that. You talked about the fact that obviously we do support pay equity and employment equity. I'd really appreciate hearing from you: What is your definition of employment equity, and also what do you feel are the systemic and the discriminatory barriers that prevent women from equally accessing the workplace?

Ms Bergman: Pay equity is pay for work of equal value. It's pay for the work that is performed, no matter who does it; a level playing field. Employment equity is employment that guarantees equality for all peoples, that ensures equality for the five target groups the government of Ontario has: francophones, aboriginals—

Mrs Witmer: Disabled.

Ms Bergman: Disabled, yes.

Mrs Witmer: Visible minorities.

Ms Bergman: Visible minorities and women.

Mrs Witmer: Yes.

Ms Bergman: Those are under employment equity, and you know probably better than I do how that act functions: It doesn't.

Mrs Witmer: The legislation hasn't been passed.

Ms Bergman: Yes, I know, but we've been moving into it, and government employees have received things and the I Count for Equality in Employment thing. There's been a lot of work done on it, and I've been doing some education on it. It's extremely difficult. There is so much misinformation. I think there's going to have to be a lot of good public relations done about that act and a lot of hard work done by a lot of

people, because in the labour force it's going to create many barriers, many obstacles and many anxieties among a lot of people, most of them white male.

To address your other question—

Mrs Witmer: The systemic and discriminatory barriers.

Ms Bergman: —the barriers that women face are ones such as those that I speak of, the lack of funds. Fortunately, I am here for another meeting in Toronto, which was why my way is paid; the committee is not paying the dollars. But I've got to upfront that money. For a woman to come in from Red Lake or Ignace who may be a single parent, you can't just put \$1,300 or \$1,400 on your Visa and take off. You're reimbursed here, but you must submit your expenses first, right? You've got to put in your expense account before you get paid.

When I get home tomorrow, I have to pay the person who's been looking after my children for this past week. That's direct funding out of my pocket. I can do that because of the position I'm in, but a lot of women can't. Automatically, they can't participate because there is no funding implicit. I think that has to be addressed in the bill itself and in the regulations, and that's one of the systemic things that I'm speaking about.

1420

At the women's training coalition, for instance, that I sit on, there was no funding for that. I think we did get some money. It took for ever and a day to get there. Some women are still waiting for their expense accounts because of the way the wheels of something grind slowly.

As I started to say, the women's coalition meets when we can come to Toronto, when there are going to be more than four or five of us here. We come from all across the province. We get together. We do it in the OISE office or someplace where we don't have to pay. It's all on the cheap. It doesn't really matter, because they're women. I find it offensive that we have to come cap in hand and say we need money. I think the regulations should state, "There is funding; this is how it's done."

I think when it trickles down from the Ontario Training and Adjustment Board to the local boards, it is going to be even more important there, especially in northwestern Ontario, where the mileage is so great, the distances are so great. Say I'm selected to the local board and it's sitting in Kenora. If I'm coming from Red Lake, I've got 280 miles. You can't go there and back in a day. You've got to have overnight accommodation. You have to have the child care and all those kinds of things that any parent requires, if you have children you're responsible for.

Those must be addressed, and I think it's important that it be done at the top. But the benchmark, as I said, is set by this board and it will then carry on down to the local boards.

Mr Len Wood (Cochrane North): Just a follow-up on a question that Elizabeth was mentioning. I know her riding as well there. She can travel back and forth to Toronto on \$25 worth of gas probably at least two or three times, whereas I know where you live, because I've been in Kenora—and I live in northern Ontario, in Kapuskasing. That's why I have a chance to travel through the north, and I do it on a weekly basis.

I'm just wondering if it would help out the women there if the tickets could be purchased ahead of time and mailed up

to the women who would be coming down to make presentations, or how you feel we could get around that. I know there are a lot of part-time women—

Ms Bergman: If that option was open, that would make it a little easier. I don't know if it is.

Mr Wood: Okay. I'm interested in page 5, where you mention that the Mulroney government has attacked the women of this province and you've come forth with a very strong presentation on a number of areas where women feel that they can't be part of the system.

Ms Bergman: Exactly.

Mr Wood: I noticed one in particular there, that knowing that 55% of the voting population now is women and yet the federal government has slapped them on the face.

Ms Bergman: I think they'll live to regret that, personally.

The Chair: We need some time for Ms Swarbrick too, Mr Wood, if you'd make it very fast.

Ms Swarbrick: I'll let him finish, Mr Chair.

Mr Wood: My question is really, should reference groups of your kind even be involved with the top body, or should they be involved with the local boards that are going to be set up?

Ms Bergman: They need to be involved in both.

Mr Wood: Both boards, okay. Thank you.

Ms Swarbrick: Hi, Ms Bergman. It's good to see you here today.

When I was the minister for women's issues I met with the Northwestern Ontario Women's Decade Council in Thunder Bay and was very impressed with the group of dynamic women you've got there.

I'm really pleased also with the presentation you've made here. As the committee knows, I've been making a number of the equity points here with regard to OTAB throughout the hearings, including the point that the only way we're going to reach job equity is if we have training and education equity to start with.

I have also been tremendously impressed to have learned through Peter Landry that on fairly short notice the Ontario Women's Action on Training Coalition was formed, with about 800 groups and individuals now. I think that's a real tribute to the fact that there obviously is great need and greater need for equity with regard to training courses.

Again, as Len referred to, on page 5 you refer to the training restrictions of the CEIC which make women doubly disadvantaged and that a significant number of women cannot gain access to UIC training programs because they aren't already in the paid workforce.

I was in cabinet when we were dealing with OTAB in the first place, so I was one who argued very strongly that there be an entry and re-entry council created within OTAB, particularly to deal with that group—others as well, of course, newer immigrants and what have you, but very much women who haven't been in the workforce or at least not a long period of time. I'm wondering if you would express the comments of what the feelings of your coalition are with regard to the concept of the entry and re-entry council.

Ms Bergman: I would certainly support that, and I can support it from a personal perspective, because I at a later age

in life found myself trying to get in the workforce and found out I had no skills. I didn't complete university. You don't want the story of my life, but anyway, I didn't have a piece of paper that said I was good for something. So my options were welfare. You go to the UIC office, you look for a training project, you know: "Get me a job. I need to work. I've got children to support." I wound up being trained, paid for by the Unemployment Insurance Commission, a grand sum of \$428 a month, through the local community college, and I learned how to do a whole bunch of secretarial things that put me in a job ghetto, which is another sort of thing, but that's what I learned. You talk about entry and re-entry. It was horrific for me to find that my entry was so limited, so demeaning and the whole process was just awful. I don't want other women to have to go through that same thing, so I would agree with you that the entry, re-entry council would certainly be very, very useful.

Mr Steven Offer (Mississauga North): Thank you, Ms Bergman, for your presentation. I found it very informative and quite powerful. My question to you deals with the LTAB, the local boards.

Ms Bergman: The local training and adjustment board? Yes.

Mr Offer: I was struck when you had one comment that you made when you spoke about when the money finally trickles down to the community. The concern that I've had with the legislation is that there is nothing that's mandatory in the creation of local training boards—factors, criteria for the setting up of LTABs—and I would like to hear from you your thoughts as to whether there should be that certainty in the legislation and whether that in fact is possible to be put in legislation, from your experience.

Ms Bergman: Yes, I certainly think it can be. I think the mandate can be given to the local boards and should be. One of the major reasons I say that is for uniformity, so that all sections of our province, all 22 local training and development boards, work under the same guidelines, the same mandate and the same principles, because so often what happens, if there aren't any rules, is that you can sort of invent your own game or play it with whatever kind of ball you want. So from my perspective, I would support, as I say, some teeth in the legislation, getting rid of the "to seeks." Let's be the benchmark. Let's do this. Let's make it work. That's what I support.

Mr Offer: Thank you very much for that response. Mr Daigeler has a question now.

Mr Daigeler: Thank you. I presume where you come from there's an industrial training committee in place.

Ms Bergman: Yes, there is.

Mr Daigeler: Is the women's network involved in that?

Ms Bergman: Yes, they are.

Mr Daigeler: Are you fully represented there, or how does that work?

Ms Bergman: Yes, I would say we are.

Mr Daigeler: Are you generally satisfied then with the operation as it is in place?

Ms Bergman: That's like saying, "Did I quit beating my mother?" I'm satisfied with the work that the people who are involved in the training are doing now, to the best of their ability. However, their limitations are many and great, and they themselves—not doing the training specifically; I can't really answer for them. But it's like anything else that's a government program. We tend to economize, to cut back, all of those nice words that mean to say you don't get any money to do the same job. You can do the same job, but you do it with fewer people to train. I think that needs to be addressed.

1430

Mr Daigeler: Do I still have time?

The Chair: You've got 30 seconds.

Mr Daigeler: I asked that question because this morning the community industrial training committees were presenting. They basically said: "Why try and fix something that's not really broke? Improve what's there."

Ms Bergman: Yes, I would echo that, only make them able to do their job the way it's envisioned they can.

The Chair: Ms Bergman, the committee thanks you and the women's coalition on training for coming here this afternoon and sharing your views with us and your committee's insights into this legislation. We're grateful to you. You've made a valuable contribution and we trust you'll be keeping in touch and following this legislation as it proceeds through committee and back into the Legislature. We encourage you to keep in touch.

Ms Bergman: Thank you very much. It's been a pleasure.

The Chair: Take care and have a safe trip back home.

Ms Bergman: I will.

KENT LOCAL TRAINING ADVISORY BOARD STRATEGY GROUP

The Chair: The next participant is the Kent Local Training Advisory Board Strategy Group. Would you please come forward and have a seat. Tell us your names, titles, positions, if you want to. You've got written materials which are lengthy and very specific and which will form part of the record by virtue of being made an exhibit. Please try to save at least 15 minutes of the half-hour for questions and exchanges. Go ahead, gentlemen, your names and titles.

Mr Jay Sheff: My name is Jay Sheff. I'm one half of this group. I'm the co-chair of the Kent county LTAB strategy group. I'm the business representative and I'll be speaking at the latter end of our presentation.

Mr Larry Dubuque: I'm Larry Dubuque from the Aluminum, Brick and Glass Workers International Union and the Chatham and District Labour Council. I represent the labour chair on the Kent Local Training Advisory Board Strategy Group.

The importance of skills training to Canada's global competitiveness and to Ontario's economic recovery has been recognized by all stakeholders: government, business, industry, labour, educators and community groups. The Premier's Council report of 1989 stressed the need for all parties to work together to develop and implement solutions to growing skills shortages, and called for business and labour to work together cooperatively.

The recession economy and double-digit unemployment make decisive action urgent. The local board proposal is one solution offered to the proliferation of community and government agencies involved in skills training. The provincial government has called for community input and consultation on how the local board should be constituted and operate and we are here today to do that. As a result of a meeting of over 100 labour market partners, the Kent Local Training Advisory Board Strategy Group was formed.

It is important, in the excitement of a new endeavour, not to lose sight of what has gone before and not to throw out the things that work well along with those that need change. Excellent work in the community has been done by the colleges which were established in the mid-1960s in response to a need for more community-based, job-related skills training. The colleges have served their communities well, responded to local training needs, developed advisory groups in the communities and worked with business, industry, labour and community organizations.

The establishment of a satellite college in Kent county was a prime example of the need for community-based training. St Clair College, Thames campus, delivers a nursing program and a developmental service worker program, where considerable portions of training take place in the local organizations and agencies in this community. Training is being delivered at numerous locations, with Kent county utilizing board of education facilities in an ongoing effort to keep costs down and make the best use of public institutions.

Impressive work has been done by local school boards to respond to community needs. Adult education programs have been made available through the county as well as in house to companies, allowing employees to attain their diploma in a familiar setting, being sensitive to the client's needs relevant to swing shift schedules.

The cooperation between the Kent County Board of Education and the Kent County Roman Catholic Separate School Board are second to none in the province and provide a model for a working partnership to be mirrored across the country. The cooperation between various key players of retraining in Kent county is unique in the province. The directors of education of the coterminous boards work closely together to avoid duplication of services whenever and wherever possible. This cooperation extends to St Clair College, Thames campus, and both training advisory committees. Thus, the conditions are excellent for establishing Kent county as one geographical area for a local labour force development board.

Community advisory committees were established in the mid-1970s in response to concerns of local business and industry in regard to the lack of input in the skills training and decisions being made with no consideration for the needs of local employers, and the result was a frustrating mismatch of skills and needs. The advisory committee of the 1970s evolved into the CITC system and have grown from employer advisers for employer-sponsored training to true community organizations with the joint recognition by both levels of government. These committees represent communities, actively respond to community needs, become involved in a wide range of training for minority and disadvantaged groups, provide community service and encourage interest in skilled occupations.

More recently, a variety of social action groups have become involved in skills training as a way to help their disadvantaged clientele gain entry to the working world. Each of these organizations has developed its own infrastructure of advisers, supporters, members and clientele. At the local level, all of these structures and memberships overlap so that there is regular sharing of information among members and organizations. In Kent county, labour has been actively involved in community training as part of the existing structure.

Time for Change: Now it is time for change for a number of excellent reasons. Skills shortages are becoming acute; cost of training is skyrocketing; proliferation of groups accessing government training funds for programs for specific target groups leads to duplication and wasted resources; technological change is accelerating; recession means less money and greater need so cost-effectiveness becomes critical; labour is more interested in having a say in skills training issues which affect their members' jobs and livelihoods; new spirit of cooperation and consultation between labour and management; other countries are way beyond us in attention to skills training needs and our competitive and high-tech skills are being eroded.

These changes must be positive and well planned, not just a reshuffling of the deck and a rearrangement of the power structure. We must keep skills labour market training decisions as close as possible to the grass roots and local boards that are representative of the community. That is why local boards must be kept to a community level, and Kent county is a community.

Key points are to learn from past mistakes; build on present successes; incorporate the structures already in place into the new structure; bring all parties to the table; make skills training a well-planned, cost-effective system that can respond quickly to real needs; make skills training accessible to all; avoid developing an expensive and inefficient bureaucracy; keep skills training decisions as close to the grass roots as possible and local boards as representative of the community.

There is no doubt this will sound to some like an endorsement of the present CITC structure and to others like an endorsement of the new local board structure proposed by the Canadian Labour Force Development Board, Canada Employment and Immigration Commission and the Ministry of Skills Development. This is exactly what it is: a proposal to develop a local board structure that incorporates the best features of our local structure with the best features of the proposed local board model.

1440

Key points; vision for local board:

Kent county and southern Lambton county should be established as its own board based on community structure, delivery agents and unique needs rather than geography or population.

Representation on the local board is a critical issue and should reflect the makeup of OTAB.

The local board would be able to keep administration costs at a reasonable level through the utilization of volunteers to play a key role as members on committees. They provide input at the grass-roots level pertinent to the needs of the community at a reasonable cost.

It must be recognized that a small group such as the proposed 8, 8 and 4 representing a large geographic-population

area means that many groups—business, labour organizations and social action groups—will not be represented. A network of subcommittees would be set up to feed needs, requests, feedback and local support to the board to keep it focused on real local needs and to ensure that all voices are heard and all needs considered. Agriculture and education are particularly vulnerable, as are the retail and hospitality sectors, since all of these are lacking strong organizational clout.

Mr Sheff: The present infrastructure in Kent county has the necessary components to develop a training culture. The cooperation and partnerships in this community are clearly demonstrated in the establishment of this Kent LTAB strategy group. The membership on the next two pages, the list of members of this group that we've gotten together in a very short time, reflects the membership proposed.

The Kent county and southern Lambton county workforce is more diversified. We have a unique workforce, unique problems and we deserve some control over our own destiny. Kent county has the highest per capita of the population receiving welfare assistance and benefits in Ontario as documented in 1992. We need our own local LTAB to deal with that unique problem.

Chatham and Wallaceburg are the main hubs within the county structure. Present groups such as the CITCs, the CECs and local social action groups are involved in many activities already addressing the training needs. Skills OK—for occupational knowledge—women's access to apprenticeship training, the secondary school workplace apprenticeship program, a lot of these programs are going on already, they are very successful and we are concerned that if Kent county gets lumped in with Essex county in territory 14, we're going to lose a lot of these specialized programs that are already successful.

Linguistic-cultural considerations: Kent county and southern Lambton have the highest aboriginal concentration in the St Clair area. We have three Indian bands in Kent county alone on two reservations. The native people are represented on the local CITCs now. They're also part of our Kent county LTAB strategy group. We're afraid that they're going to be lost in the shuffle if Kent county gets grouped in with Essex county.

Existence of a network of community support: The working relationship between the training and delivery agents at St Clair College, Thames campus, Ridgeway College of Agricultural Technology, Kent county school board and the separate school board already provide the leadership required to ensure that duplication does not take place.

Pages 8 and 9 present a list of labour market partners and stakeholders who have provided letters of support for a local Kent county LTAB, and I think we have passed around a blue package representing letters of support for a local Kent county LTAB.

Cost effectiveness is always important. It is vital that as much money as possible be channelled into the actual training activity and as little as possible be spent on administration costs. An LTAB located in Kent county would keep costs down through the use of volunteers. The use of volunteers is happening now and it's very successful. We're afraid that if the larger LTAB group including Essex-Kent county is established, we would have to incur a lot of costs travelling to

Windsor for meetings, that type of thing. It just makes sense that keeping the LTAB smaller would incur lower admin costs and you could channel more training money directly to the training programs.

Programs should continue to be tendered to both public and private training providers in order to keep things cost-effective. As an example of where Kent county is a leader in the training area, we have a training centre formed as a result of the community need and training partners. It's a local high school in Wallaceburg. Facilities are utilized by adult students, high school students and the community as a whole. The multi-use facility is in continuous operation 14 hours a day.

In summary, Kent county must control its own destiny by having its own local training advisory board, its own LTAB. We don't want to be lumped together, Kent county and Essex county, in territory 14. Our destiny cannot be controlled from Windsor. We have the infrastructure now and it's a successful infrastructure. We are ready to move.

We support the LTAB concept, as through our CITCs we have accomplished much under the present system: 130 training programs in 1992 in Kent county and over 100 volunteers actively involved in training and development. We maintain quality control systems. We constantly monitor the needs of our local area. A smaller area would be better suited to monitor local needs.

We fully support the proposed OTAB as long as you keep an eye on four things: cost-effective, totally flexible, responsive, with a local format. What we need from you, the legislators, is to create Kent county as district 23 when the regulations are set.

The Chair: Thank you. We have four and a half minutes per caucus for questions.

I want to welcome Pat Hayes, the member for Essex-Kent, who although not assigned to this committee displays his interest in the matter by taking time out of his schedule to come here. He of course sits at the table as of right and is entitled to be recognized and I do so. I am confident that I'll be accorded the same courtesy when I sit with the auto insurance committee when it travels about the province on February 1. Go ahead, Mr Hayes.

Mr Pat Hayes (Essex-Kent): As the Chair mentioned, I'm around the corner at another committee, and so is Randy Hope. He's just about ready to speak, so hopefully he'll get in here to see you before you leave.

As the member for Essex-Kent, I can certainly relate to what you're saying about the difference between Kent county and Essex county. For the benefit of the members here, I think that Essex county, the part I represent, is more manufacturing jobs and people really do relate more to the city of Windsor. Many of them work in the city of Windsor. Kent county relates more to the city of Chatham, and there are a lot of other small communities with populations of 3,000, 4,000 or 5,000.

I can understand your concern because, being an MPP, I have to deal with the two different school boards, the two different county councils and also the city and the county. I was hoping maybe you might elaborate a little more on the differences and some of the frustrations you would have to put up with if we are not able to have the one LTAB in Kent

county, along with the city of Chatham, and the inconveniences and the costs that might occur if you had to continually go to the city of Windsor, for example, to have your meetings, just that alone. Maybe you could elaborate a little bit more, for the benefit of the committee, on the fights Hope and I have been having trying to support your efforts.

Mr Sheff: As I said, we're much more agriculturally based. I think that would be lost. We're afraid that we'd be dominated by Windsor, and obviously the auto industry. We're much more agriculturally based. We have unique industries in Kent county that may not be addressed. We have the native people who may get lost in the shuffle, who are now represented on our CITCs. That's a concern.

On the flexibility and the responsiveness to our local needs, right now, in business, I can make a phone call to our present CIRC, request a course for a group of people in the morning and by the end of the day we can have that course set up. We would lose that totally in dealing with Windsor. We'd lose the familiarity.

Travelling to Windsor would be a cost. A person like Larry, who's an hourly person, would have to take time off work. His company may not support that cost. That's something we talked about in our meetings and that would be a problem. The way it is set up now, representation on the CITCs is totally voluntary, labour and business, and the special interest groups, because you're close enough to travel and you can arrange the travel distance and travel time in your personal schedule. We'd lose that as well.

1450

The Chair: Do you want another brief question? I think it's only fair that visitors to the committee be accommodated liberally. Go ahead, Mr Hayes.

Mr Sutherland: Liberally, socially or conservatively?

The Chair: Go ahead.

Mr Hayes: Not conservatively.

The Chair: Go ahead. Mr Wilson will still have his question.

Mr Hayes: Oh, Mr Wilson wants a question, did you say?

The Chair: No, you first, as a visitor.

Mr Hayes: I guess just really in general I would like to know how the committee is coming together. Are there still problems in the structure of the committee or are these things all straightened out now and you're well under way?

Mr Dubuque: Yes. We had a meeting just last Monday night and things are coming along very well. We need just a little more labour representation but it's coming along very well. Kent county's probably been unique in that our CITCs have worked very well with labour representation. I know labour hasn't been represented on all CITCs across Ontario, but in Kent county it has and it's worked very well. We certainly wouldn't want to lose what we've gained so far.

Mr Hayes: No, and also, I think you commented in your brief about the high unemployment. There are a lot of people who don't realize how high the unemployment rate is in Kent county compared to the rest of this province. They seem to relate mainly to a city and not to the rural area. Even when Chatham isn't doing well, people outside the city have lost

their jobs also. I think that's another reason you should continue pushing.

The Chair: Thank you very much, Mr Hayes, for your contribution. Mr Wilson.

Mr Gary Wilson (Kingston and The Islands): Thank you very much for that presentation. I would say that by the quality of it, you have no worry at all about your voice ever being lost in any size group.

That being said, I think you know too from the way the legislation is set out that it's to mention the local boards, but with the understanding that they still have to be set up in coordination with the federal government and the Canadian Labour Force Development Board, and the board of OTAB as well as the province. So there still is some work to be done there.

Mr Sheff, you mentioned at the end that you see room for a 23rd board. The problem of course, as you no doubt readily recognize, given the research you've done, is that it's more like 53 or 63. I come from an area in Kingston where we have outlying areas that are going to be included with Kingston, and so far it seems to be working well. But of course when it was first broached the suggestion was: "Why don't we have our own? We can do it so much better."

You also raised a couple of the issues, I think, that are considered here, the administration. You said keeping a smaller administration, but of course you duplicate the number of administrations you need for each of the boards the more you have.

Secondly, though, you say that you think the cooperation in Kent county that you so obviously show here provides a model for a working partnership to be mirrored across the country. We think there's no better way of doing this than by including the areas of cooperation like this in larger boards so that you can work together, use the wider experience and show the way towards the kind of cooperation we're going to need across the province. Those are some of the reasons on the other side of the balance that you have so effectively laid out for your side for a different configuration. I want to thank you again for your presentation.

Mr Sheff: My point on the smaller boards would be cost-effective. An example: Even though you are creating, in a sense, more administration, the cooperation could reduce the cost. In Kent county they've set up an organization, and I think it's in your appendix, the Kent Area Administrators Group, consisting of St Clair College, a couple of the hospitals and boards of education, and it's a group that's been set up to save money.

It's a networking group. It's a purchasing group; they have common purchasing contracts. They even use the same bank accounts. On the idea that setting up smaller boards may create, in a sense, more administration, there still are opportunities to reduce the cost as long as people network and cooperate, and that's what we have in Kent county and that's what we don't want to lose.

Mr Offer: Thank you for your presentation. I think your presentation really does cut to the importance of the local community and the involvement and the particular expertise the community has with respect to training, retraining and adjustment needs.

As you will know, in this legislation, no matter what we discuss in this room, LTABs, their creation, the geographic jurisdiction, their purpose, their objects are not in the legislation. It is set out in regulation at someone's whim. The question I have is, should that be moved from regulation to legislation so that you, dealing with your community, will know what the geographic jurisdiction is, what the purpose and the scope of the LTAB should be?

Mr Sheff: I think there is some concern on our committee from the educators that the regulations are not spelled out and that they're being left, as you say, at the whim. We're not even sure who's going to be setting the regulations. There is some concern there; yes, there is.

Mr Offer: I thank you for that because it is a recurring concern of people who are coming before this committee who recognize the importance of the community and the community's involvement, but can't point to where they are in this legislation.

I want to pick up on a point that Mr Wilson brought out in his question, speaking about this federal-provincial cooperation that is necessary. I remember the minister's statement in this room, just at the beginning of the week. He said a very important part of the new training and adjustment system will be a network of local boards and that he is working with the federal people in order to provide an integrated and coordinated approach to training and adjustment at the local level.

Mr Wilson, I believe, in fairness, recited the essence of what the minister said. My concern is that it appears, from the minister and from his parliamentary assistant, that unless there is a provincial-federal agreement, LTABs will not be created. My question is—I see members from the government side looking wistfully, the minister's statement—

The Chair: Go ahead, Mr Offer.

Mr Offer: Today in newspapers I see "Talks Fail to Sort Out Job Training Disputes" and "Ministers' Talks Fail to Streamline Training Programs." My question to you is, in the event there is not federal-provincial agreement in the area of training, from your experience, can LTABs still be set up and still be effective in order to meet community needs?

Mr Sheff: I'll tell you, and I may be speaking for Larry here, sometimes we lose sight of what we're really trying to do here. We want to have a highly trained workforce, we want to be equitable and we want to be fair, but in the end we want to compete on a world stage. Whether we get the money as a business from the federal government or provincial government, all these politics, to be honest with you, are beside the point. What we want is a trained workforce and I think what Larry wants is a trained workforce as well.

Mr Dubuque: Right. I want my members trained and properly trained so they can get jobs. Just speaking from before, if the provincial and the federal governments have problems, I think that's pretty common and they'll get worked out. On a local level, we'll work our problems out and we'll operate under whatever system we have to.

Mr Offer: That's exactly the importance of it. I'm glad you could respond to that, because I think those contacts could still be set up even without that type of agreement.

Mr Sheff: We're working under whatever structures. Right now we're working with CITCs, whose mandate is a little bit more restricted. We'll work with an LTAB, which is trying to reach a broader market and clientele. That's fine with us. Just give us the tools and we'll work with them.

Mr Hayes: That's the way Kent county is.

1500

Mr Carr: Thank you very much for your presentation. I think, Larry, you said it best towards the end there when you said what you really want is jobs for your members. This is what that whole issue is about.

As you know—and I saw, quickly, some of those statistics—the unemployment rate is fairly high, I take it, among your membership. What types of skills will you specifically need and where will the jobs come from in your area? I'm thinking now of the type of training that maybe we haven't done because we haven't planned. Do you have any idea? Because, quite frankly, I think you've done a good job. You're almost ready to go, I think. If I were looking at it, I would say all you need is the money and away you go.

Being that far in advance, when on day one you get some money, what do you see happening?

Mr Dubuque: For many of our people, their basic education has to be upgraded, and also their skills in dealing with more computerized equipment in the plants and one thing and another has to be upgraded. There's lots of work to be done right from the word go.

Mr Carr: I think you're right, because so much has changed. In the past, we haven't upgraded skills as we went along because there wasn't a need to. You went into a company and not much changed. Things are happening rapidly. I have suggested that you've got good cooperation. I look at the presentation here and, with the exception of one letter in there—I noticed the CAW one wasn't too complimentary—you've obviously got good labour-management cooperation.

We had Richard Johnston in the other day, who is, as you know, a former NDP MPP. He has said he is a little worried about the cooperation, even though he's doing a good job working back and forth. Could you tell this committee how you've done it? My personal feeling is that in the past, labour and management haven't worked together. Now they're almost forced to because of the economic circumstances. The companies are losing money and the workers are losing jobs. Could you tell how you broke down some of those barriers?

Mr Dubuque: One of the main reasons, in my opinion anyway, is that we put the welfare of our members first, and they needed training. It did us much more good to work within the system than to fight it—in what system was available at the time. We feel LTABs are probably the way to go. It's going to give us much more voice in the way things go, because sometimes we're not entirely happy. But we don't pick up our ball and go home. We just keep working with what we have.

Mr Sheff: I'd like to make a comment or two. Personal agendas and group agendas go out the window because, in the end, we want a trained workforce and so does Larry.

Mr Carr: One of the key questions that I have asked some of the people is this same question about the skills that

are going to be needed. Larry mentioned the fact that because a lot of the members haven't had training, they need to get some skills. But long-term, one of the things we have to do is plan for what skills we need. Maybe I'll ask you this, Jay: Long-term, in your area, what skills do you see are going to be the most important ones so that the people there have jobs?

Mr Sheff: I agree with Larry. You have to take a step back and deal with basic literacy. Functional illiteracy is between 7% and 30% in some areas in Ontario. That's a pretty scary number. When you're trying to introduce quality programs and 17% to 20% of your employees can't read, that's pretty difficult. Start with basic literacy and do that through volunteers. Let labour train labour. That's the way it works.

The Chair: I want to thank you, Mr Dubuque, and you, Mr Sheff, for your presentation today on behalf of the Kent Local Training Advisory Board Strategy Group. You've made a valuable contribution. It's important that you and others like you appear as you have to provide input into this process. We appreciate it. We're grateful and we trust that you'll keep in touch. Have a safe trip back home, gentlemen.

LINDSAY AND DISTRICT LABOUR COUNCIL

The Chair: The next participant is the Lindsay and District Labour Council, if the people here on its behalf will please come forward and have a seat. I want to remind people there's coffee and beverages for those of you who are spectators or waiting to give your submissions, even for some of the civil servants who are here, to make yourselves comfortable while you're listening to these submissions. Go ahead, sir.

Mr Andrew Hodgson: Good afternoon. My name's Andrew Hodgson. I'm the president of the Lindsay and District Labour Council.

To begin my remarks, I wish to thank the committee for the opportunity to speak today. As president of the Lindsay and District Labour Council, I represent the working men and women of Victoria and Haliburton counties. Therefore, I will be sharing with you the needs of labour and rural Ontario in respect to this very important initiative.

The government is to be commended for bringing to the province such a progressive training program. The present economic conditions require us to have a program that allows for useful and effective training. The rapidly changing workplace, ongoing technological changes and the competitive world marketplace require workers to upgrade their present skills and acquire new skills. Companies that invest in training will become more productive, more competitive and more profitable. Everyone benefits from training: the workers, the employer and the customer.

Bill 96, the Ontario Training and Adjustment Board Act, will help achieve these benefits and aid people re-entering the work force, as well as preparing people who normally don't receive the benefits of training: part-time workers, women, the disabled and minority members of society. Today I wish to concentrate on several parts of the legislation and speak on a general note about the training needs of our rural counties.

The delivery of training: To ensure universality for this program, geographical requirements must be met. That is, the programs must be accessible to those who need them. If these initiatives are centred in larger areas only, then we lose the

principles of full access and universality, the reason being that people who should benefit can't travel a long distance to receive the training. This particularly applies to unemployed workers and those re-entering the workforce.

It is because of these concerns that the Lindsay and District Labour Council supports public educators doing the training. We want community colleges, universities and high schools to do the training in this province, with some stipulations.

These institutions must be flexible to the changing needs of our workforce. As well, they should use the satellite system, that is, to make use of campuses in smaller towns or expand the smaller centres of their catchment area. By training in the small towns, we will ensure full access to the programs. As an extra benefit, these towns will receive economic gains which will go towards finding work for the recipients of the training.

What I mean by that is, if we have in-house training by a company that wants to send 30 people to an area to be trained for a week, in our area—I'm based out of Lindsay—if we send them to Oshawa or Peterborough, the economic ripple effect for that community is minimal, but if we send them to a spot like Haliburton, for instance, where there's the Sir Sandford Fleming College, there are accommodations, the tourist industry is expanded, the restaurants are expanded, and it will help folks we're going to try to train in that area get work, which should be the long-term goal for our workforce.

We welcome the opportunity to participate on local boards with the other labour market partners. We will proudly and effectively take our place with representatives from business, education and social action groups. The consolidating of various programs through OTAB is a much-needed process. We feel it is necessary for there to be coordination between the federal and provincial boards. In our view, all training plans and money, both federal and provincial, should be channelled through OTAB to achieve that coordination.

We agree with the composition that allows labour representation equal to business and labour and business constitute a majority. There must also be representatives, one each, from social equity groups, women, aboriginal, visible minority and disabled, and representation of public education institutions, the ratio being eight, eight and four for social equity and two for education. Each constituency should choose its own representatives to all boards.

It is crucial to rural Ontario that local boards be given enough resources to be effective. These boards should be given the authority to properly assess the training needs of our jurisdictions. We must be able to identify local needs and then institute programs that will most benefit all members of society. This means that resources will have to be made available. If local boards don't have sufficient power to establish effective training programs, then the meetings become irrelevant.

1510

On that note, I'd say what I mean by that is that I enjoy a good lunch like anybody else—take a look at me, you can tell that—and I belong to the local ITC. In Victoria county we have a good industrial training committee and it does its best, but as far as my participation goes, other than eating a second dessert it hasn't been the way I want it to be. I'm not here to sing the praises of the local ITCs, unfortunately for them.

However, the Lindsay and District Labour Council is ready to be a positive participant on the local board. When Mr Allen visited our area last spring, it was said to him, "Labour is away ahead of us on these programs." That was from one of the other groups that were upset that labour plans ahead and what not. I'm here to tell you today that I agree with that statement. We've been trying to get proper training for the workers of Ontario for 40 years. We wanted government to take an active role in this important area. OTAB goes a long way in achieving these goals. I urge you to stay on course and carry through.

Both federal and provincial training plans and funding, except those for sectoral boards, should be channelled through the provincial boards to provide a coordinated approach to training.

Employers must assume responsibility for training their employees. If employers do not meet this obligation, provincial governments must introduce an employer training levy to be used exclusively to fund training of employed workers. Employers would be obligated to remit the ETL to the province and then would be eligible to apply to the provincial board to have workplace training programs funded from this pot of money.

If an employer training levy is developed, it must make accommodation for the continued operation of growth of training trust funds. It must exempt employers who are contributing to a jointly trusted training fund at a level deemed to be acceptable to the union and in accordance with terms laid out in a collective agreement or an agreement dealing with training. Under these conditions the employer should not be required to pay the levy, but rather the employer should continue to pay funds directly into the training trust fund.

Training for those who have lost their jobs is a financial responsibility of governments and of employers who caused that job loss. The major source of adjustment training money is the federal Canadian Jobs Strategy. It should continue to be the principle source of money for adjustment training. All cuts to CJS must be fought vigorously.

Funding for people attempting to enter or re-enter the workforce is a public responsibility. Provincial and federal governments must continue to fund these programs. Apprenticeships should be continued to be funded with employers covering the costs of the workplace portion and public funds being used to cover the costs of the in-school portion.

The need for OTAB is great and is increasing every day. It is imperative that we get on with the job. We're in full agreement with the needs of consultation. It is very advantageous to get input from all labour market partners. However, our labour council feels it is time to go ahead with the program. The various committees that travelled the province received an enormous amount of information. We think the legislation reflects this consultation. We ask that the Ontario Training and Adjustment Board be established quickly and local boards soon follow suit.

For any training program to be successful, there must be employment as a result. This of course requires careful study and resources to achieve. It is our suggestion that other sources of money be considered, the Jobs Ontario and the eastern Ontario economic development funds, to name two. The reason these areas should be utilized is due to the need

for infrastructure upgrading. Almost all our towns in Victoria and Haliburton counties need sewage and water expansions. Without these expansions, economic growth is stagnated. We could put the money into these infrastructure projects and train workers to help in the construction and operation of these facilities. This would lay the groundwork for future jobs. With OTAB working with other ministries, we can train and place workers in good jobs. This would address all four training needs.

Am I too loud? I have a tendency to be. It's usually only raucous crowds I'm used to speaking to.

The Chair: Don't whip these people up.

Mr Hodgson: To summarize, the Lindsay and District Labour Council supports the purposes of this act, as outlined in the Bill 96 information sheets. We feel training is a universal right which must be available to all employed workers, displaced workers and people wanting to enter or re-enter the workforce. Skills training entitlements at full pay should be accumulated by all workers in guaranteed and measurable terms, such as days per worker per year. Accessibility to training for displaced workers and those entering or re-entering the workforce must be assured by government. Provisions of adequate income and social services support, such as child care, must be also utilized.

We urge you to push on for the benefit of all Ontario. The future benefits of savings will be worth it. The government is on the right track with Bill 96. It is progressive and well-thought-out legislation which should return Ontario to prosperity—a positive note there—we'd hope.

I thank you for allowing me to speak on behalf of the Lindsay and District Labour Council.

The Chair: Thank you, sir. Five minutes per caucus.

Mr Offer: I have a question, and thank you for your presentation. I'm intrigued with that part of your presentation around the area of funding. Do you think that funding for training should come from the provincial coffers or rather it should come from employers or, as you suggested, an employer training levy?

Mr Hodgson: Both. Say it's the county of Haliburton. The county of Haliburton, on the northern section of our district, has 30% unemployment. They spend about \$12 million a year on unemployment insurance, for instance. Right now, we have various training programs going in there. We need a consolidation of those moneys. We need provincial money; we need federal money.

As well, I agree, employers should pick up the training, but in a situation like that, which is very rural, you don't have the employers there. We have small tourist operations. So when I was speaking on the funding on employers, I was meaning the big companies. We have a Crayola factory in Lindsay, and for the retraining etc there, we need those companies to help pitch in for that.

I've not given you a direct answer. It's not on purpose. I feel it should come from everywhere. Training has to be the most important thing we're going to face, and the training of other workers into the workforce.

If you take the training in North America, I've been told by people who know a lot more about it than I that rural Ontario, rural Canada and rural United States should gain the

biggest industrial growth in the next 20 years. I would think that would warrant training money to hit these rural areas from all sources.

Mr Daigeler: In your brief, you say that your labour council supports public educators doing the training. Does this mean that you see no place for private trainers? What is the meaning of this statement?

Mr Hodgson: The meaning is, if we get LTAB set up and we get into a brokerage situation, I think we've poured so much money into public education, I want to make sure access is there. It would be easiest for a private trainer, for instance, to locate in a place like Peterborough, which is going to be part of our LTAB area, apparently. For that to happen, someone from Haliburton county, a woman who wants to re-enter the workforce—it's not open to her, it's not accessible. Whereas the community college situation, we have a satellite in Haliburton, we have a satellite in Lindsay and we have a satellite in Cobourg. Since we already have the infrastructure set up, we've already spent the money on the community colleges, I think they should have the priority of our funding.

I think there is a role for private trainers, but we have to keep the big picture in line. I'm not as excited about private trainers in a lot of fields as some folks are. I'm a health and safety agitator, I guess you'd call me, and I know in the health and safety end of it, the private trainers haven't provided the training that's responsible. With initiatives such as this, the community colleges, high schools, and universities can be kept accountable because their money comes from the provinces and the federal government.

Mr Daigeler: You said you were participating on the industrial training council, but you also said you weren't satisfied with the way things were working. Can you say a little bit more what the problems are that you're experiencing?

Mr Hodgson: Yes, I can enunciate a little bit. Actually, the Victoria County Industrial Training Committee does a lot of work and it does a lot of training, but I think it's too scattered all over the place. Partially, I guess, at every meeting we go to—I'm not in an executive position; I am just a board member—funding is always the answer to everything. It's obvious that what we're after is the funding, but they don't seem to have the analysis there of where we want to go and they don't have the input of very many labour market partners.

1520

The input on it there—and I was at the lunch yesterday—is a stereotypical white male businessman. I sometimes feel like a token when I'm introduced. I may be being too harsh. They certainly do try their best, but I don't think it's representative of all of our province's workforce. There are very few social action groups there. They've had a lot of training in trying to get in that end of it but they haven't been very successful. Their major training components are from the big factories, which need retooling, so it works out well for the big factories. It's good work and we need work like that, but there are other areas that need to be addressed and I don't think they can address it.

The Chair: Thank you. Ms Witmer, please.

Mrs Witmer: You've indicated there's a need for some haste for OTAB to get going and that once the training has been done with, you need employment. Then you make the

suggestion that Jobs Ontario and work on our infrastructure would be ways of creating jobs for people.

I guess I would just remind you that public sector employment is only possible because of taxes that we collect from the private sector, and the private sector, from what we've heard the last few days, is feeling very uncomfortable with Bill 96. They certainly don't look forward to paying an employment levy to subsidize training.

Obviously, there have to be some changes made if OTAB is going to be successful, because the opinion right now in the private sector is that its concerns are being overlooked. I would ask you, what can be done in order to bring the private sector on board, because we have to recognize that you can only have public sector jobs if you get taxes from the private sector.

Mr Hodgson: I agree with that. One way I could say to get the private sector aboard—if you're building a sewage plant, for instance, it's the private sector that's going to build that, so it's going to come on board because it's going to have the contract to build that sewage plant. Then, with that in place, we're going to be able to expand our industrial base because we're going to have the sewage and the water for the plants in different areas. If it's in a tourist area, you'll be able to expand your hotel because you'll have that infrastructure in place.

What I'm trying to get at, and perhaps I didn't make it very clear, is that there's so much money being thrown around at different projects. We have to incorporate training with our other major expenses such as infrastructure, such as roads. If we incorporate that money in together, we can put workers in there trained with these private sector companies to build this stuff and then lay the foundation. I don't know if I made it any clearer.

Mrs Witmer: Let's go back to the employer levy or tax, whatever we want to call it. You've talked about the fact that tourism is very important to your community.

Mr Hodgson: To the northern section for the most part, and Victoria county, yes.

Mrs Witmer: I guess what I have heard from individuals, not only in your community but throughout Ontario, is that they can barely get to the bottom line and have the bottom line be black because of the taxes and the regulations that are presently in place. Do you really think those small tourist hotels, restaurants etc can afford to pay any more taxes to the provincial government at this time? Do you think they can survive?

Mr Hodgson: You're speaking of the smaller—

Mrs Witmer: I'm speaking of all of them. We've got large hotel chains in this province and in this country going bankrupt and we've got small establishments going bankrupt.

Mr Hodgson: Yes, but if they don't address some of the changing marketplaces, they're going to go under. They say they're going under now as it is, as you said. How do they suggest to get out of it? We cut all taxes and we lay off workers? Then we just have people on unemployment.

I don't know the answer to the grandiose problems of the tourist industry but I know they certainly haven't been helping themselves by trying to retrain their workforce very much. The first cuts are always, "Just cut some more workers; hire some part-time workers." The changes in UI are not going to help that. They think people aren't going to be

let go because they can save money on the UI payments; they're going to be, and that's not helping. We have to somehow force companies and force operators to address some of these training needs.

Mrs Witmer: That's true. We do need to do something else. I hear you saying that employers have a responsibility and government has a financial responsibility to help those who are in need of retraining and training. The PC party has put out a document, New Directions, and in there we're suggesting that employees assume some responsibility for themselves as well.

Mr Hodgson: We have the responsibility. We're the ones getting laid off.

Mrs Witmer: Just a minute. We're suggesting that employees would be allowed to deduct each year, tax-free, \$3,000 from their income. So at some time in the future, if you wanted to be retrained, you would be able to access that money tax-free. What's your reaction to that type of proposal, where you can help prepare for your own future and the changes you might have to face?

Mr Hodgson: I'm sorry, I'm not familiar with your proposal.

Mrs Witmer: I guess I'm saying—I was glad to hear Bill Clinton say something similar yesterday—that we all have to stop saying, "The government's going to look after us." I think we need to start assuming some responsibility for ourselves.

Mr Hodgson: I think we've assumed that. I'm asking for putting programs together. Instead of throwing it everywhere—consolidation. That's what I'm asking. I'm well aware of the constraints of business. I work for a company as well. I don't ignore those pleas. But we have to have some direction, and I think that's where this legislation will take us.

Mr Sutherland: I want to talk about union and working people helping themselves, based on your comment here about training trust funds. I have some experience with that. The union I belong to, the United Food and Commercial Workers—

Mr Hodgson: That's mine as well.

Mr Sutherland: Local 1977. You're very familiar with what they did in terms of negotiating funds that the company contributed to an education fund?

Mr Hodgson: Yes.

Mr Sutherland: They took those funds and set up the education training centre as a training trust with the management and union there. That's been very successful in providing opportunities. As you know, particularly in the grocery sector, there are a lot of women in jobs where they're cashiers, where they really don't have much opportunity for advancement.

Mr Hodgson: Part-time.

Mr Sutherland: This thing that has been set up really was at the initiative of the union. They negotiated it, they had the commitment to do it and really did help themselves. The side benefit actually, if you talk to them, was that the labour-management relations between that union and the employers have improved tremendously. I guess my sense is that labour

is taking the initiative in many ways to establish its own training.

I wanted to talk just a bit about the rural aspect of this. We have had some discussion about the rural. I represent a rural riding with a lot of agriculture. I guess some people have asked how you see agriculture fitting into the training system. I know you may not have direct experience in the agricultural area, but I was wondering if maybe you want to comment a bit on that.

Mr Hodgson: Absolutely. Right now, they're completely left out. There's no direction for agriculture other than the Ontario federation. I shouldn't say that. I'm not speaking on behalf of agriculture, first of all, but I will say from talking to them, their biggest problem is that they haven't had any initiatives started anywhere. Certain groups have tried themselves, but where you need it with agriculture, because of expanding into larger businesses—in Victoria county we have much smaller agricultural farms and what not. They see it as a great chance to be involved in training, whereas before they've been left out. They're very much looking forward to the opportunity to participate. I can see that efficiency and growth will be very advantageous for them.

The Chair: We also have Dennis Drainville, the MPP for Victoria-Haliburton, who although not a member of this committee has taken time out of his schedule to make sure he comes here. It's demonstrative of his interest in this legislation and this process. Recognizing that it's only appropriate that visitors to a committee be accorded opportunities to comment or ask questions—in my view, they add something special to the committee process—I would invite Reverend Drainville if he wishes to comment.

Mr Dennis Drainville (Victoria-Haliburton): Let me just say I'm glad to be accorded the honour, Mr Chair. I don't have any questions to ask.

The Chair: It's not an honour, sir; it's a right.

1530

Mr Drainville: I just wanted to say how glad I am to have a member of my constituency here bringing forth a very good brief which I read in my office before I came down. It's great to have Andrew here and also the people who have come down with him. Thank you very much for the opportunity.

The Chair: Thank you. I'm grateful and the committee's grateful for you joining us. Mr Wilson, briefly, please.

Mr Gary Wilson: Welcome to the committee, Mr Hodgson. As a former labour council president myself—

Mr Hodgson: In Kingston.

Mr Gary Wilson: Yes, exactly—I commend you for the thoroughness of your brief and for finding time in your very busy schedule. I want to ask you, though, when you take on various issues, do you see yourself speaking only for unionized workers in your community?

Mr Hodgson: Absolutely not. I speak for all the workers of Victoria and Haliburton counties and that's—if you look at the OFL directives over the last 20 years, everything we fight for, if I'm representing the OFL which I am with the labour council, is for the unorganized workers, for the most part.

I belong to the UFCW. My contract supersedes most of the programs that have come forth on behalf of the OFL. For

instance, I think of the minimum wage, I think of the part-time workers, a lot of the Bill 40 recommendations—a lot of that won't apply to me whatsoever as a unionized worker. However, as an unorganized worker, and I've had plenty of experience at that, I definitely feel very confident in speaking on behalf of the unorganized.

The Chair: Thank you, sir. The committee is grateful not only to the Lindsay and District Labour Council, of course, but to you. It's been a pleasure to have you here again representative of that group, also as a member of UFCW. Let's keep our fingers crossed on Sunday shopping. I want to express gratitude to you for making the trip. We appreciate your valuable contribution. We trust you'll be keeping in touch.

Mr Hodgson: Thank you, Mr Chairman.

The Chair: Have a safe trip back home, sir.

ST CLAIR EDUCATION/TRAINING COMMITTEE

The Chair: Our next participant is the St Clair Education/Training Committee, if those people would please come forward and tell us their names. We've got written submissions which will form part of the record by virtue of being made an exhibit. Please seat yourselves. Your names, your titles, then proceed with your comments. Please try to save the last 15 minutes for exchanges and questions, as you can see they're a very valuable part of the process.

Mr David C. Wood: My name is Dave Wood and I'm the chair of the St Clair Education/Training Committee.

Ms Betty Maddocks: Betty Maddocks, and I'm the vice-chair of the St Clair Education/Training Committee.

The Chair: Go ahead people, please.

Mr David C. Wood: On behalf of the St Clair Education/Training Committee within district 14, I would like to thank you for the opportunity to address Bill 96, An Act to establish the Ontario Training and Adjustment Board, OTAB.

The St Clair Education/Training Committee came together in June 1992 and at that initial meeting represented the six school boards in Kent and Essex counties as well as the University of Windsor and St Clair College. The group was quickly expanded to include representation from private and community-based trainers. We therefore feel we are representative of education and training in the proposed St Clair district 14 region, which includes Kent and Essex counties and a small portion of Lambton county.

Our purpose for coming together was to begin a consultation and sharing process regarding the implications of OTAB and local boards. As a result, the group has had the opportunity to exchange information and to gain greater insight into the roles each of us play in the development of our local labour force. We drafted and adopted terms of reference for our committee and include these, as well as our membership list, as appendices to this document. In response to the consultative process leading to the establishment of OTAB, our committee stands ready to work with the government in the implementation of the local board.

The guidelines for establishing a local board were expected by last summer or early fall. One of our committee's goals was to address the issue of potential candidates who could be nominated for the education-training seats on our local board.

We are patiently waiting for the implementation guidelines before bringing forward any possible names.

We have spent much time discussing the education-training needs of the workers in our district. In our continuing discussions we have also looked at the issues surrounding the implementation of OTAB and the local boards as they pertain to our sector within this process.

For example, we are aware that some members of our district are working diligently with respect to the proposed boundaries. Kent county is seeking that the proposed district 14 be split into two local boards. Even though this boundary discussion is presently being aired, we as a group of educators-trainers are prepared to support the final boundary decisions.

We have reviewed the purposes of the act and we believe that educators-trainers can increase their efforts to liaise with business, labour and representatives of disadvantaged and underrepresented groups to meet the education-training needs of all members of our present and future labour force.

Many of the organizations that we represent have made significant progress in areas such as equity and access as well as in our ability to respond to the linguistic duality, diversity and pluralism of our population.

St Clair district 14, as previously mentioned, is made up of two diverse counties and a small portion of a third. It includes a moderate-sized city, Windsor; three smaller cities, Chatham, Leamington and Wallaceburg; and several small towns and villages within a large, rural area. Manufacturing, agriculture and fishing are the major industries for this district. Tourism is gaining prominence as a potential high-growth industry.

Because of the wide variety of skills and jobs represented in our diverse industries, we acknowledge the need for more education and skills training for our current and future workers. With rapidly changing technology, the current state of our economy and the need for retraining of today's labour force, we are pleased that the government has initiated OTAB. As key players in the ongoing development and renewal of our local labour force, we reinforce our commitment to education and training, and we urge you to recognize the importance and legitimacy of a high level of participation of the education-training partners in the implementation process of the local board.

In the materials describing the creation of OTAB, as well as inherent within the act itself, is the suggestion that local boards are to be client driven and community based. We eagerly accept that premise and believe our current operations reflect both of these ideals. We realize that there will be a greater need for cooperation and for a closer working relationship among all educators-trainers. So that the present and future workers may be served appropriately, there will be the need for clear communication of all education-training opportunities available to them. Also, there will be a need for assessment, counselling and career guidance with all information pertaining to education-training clearly presented and representing all providers. Uniform career centres across a district may provide one solution to address these needs in some local boards.

Recently an Ontario job creation project was presented throughout the province and is to last for three years. As a committee, we are pleased that this government is trying to

quickly address the immediate training needs of today's workers. However, as representatives of large organizations committed to strategic and long-term planning, we would urge this government to take time to evaluate this project and its results, even now as OTAB is about to be implemented.

In this week's press it was reported that the government is planning to introduce one large ministry that will absorb the Ministry of Colleges and Universities, the Ministry of Skills Development and the Ministry of Education. This may provide the vehicle for greater cooperation, less duplication of education-training services, improved communication among all educators-trainers and better use of shared resources.

A recent change to the act whereby one non-voting member from each level of government, federal, provincial, municipal, is to be added to OTAB, suggests that the government is listening to some concerns and is still willing to make changes and refinements to the act. For this reason, our committee remains active and desires to continue to be proactive in this ongoing process.

1540

Turning to our concerns, we would like the government to recognize that as we bring these concerns forward, we realize they are not unique, nor do we bring them forward as criticisms. By highlighting these concerns, we are suggesting that we are prepared to assist in addressing and resolving them.

(1) The transition of programs from present structures to OTAB: The legislation does not indicate the programs that will be transferred over to OTAB nor the changes that will result for the current providers of the programs. As publicly funded institutions are experiencing the dilemma of dealing with severe financial constraints at a time of higher demand for education and/or training, it is necessary for the government to be mindful of the need for long-term planning if fiscal responsibility is to follow. As a committee of educators-trainers, we hope that the local board guidelines will provide for our input in the transfer of programs.

(2) The dismantling of present structures: The province of Ontario has a structure of some 56 community and industrial training committees. Although the effectiveness of these CITCs has varied across the province, they have basically depended upon a volunteer structure and were designed to be community responsive. Where existing structures are working well, we should build upon them. Moreover, care should be taken not to create new structures which would take away from established partnerships or harm effective, cooperative ventures.

(3) The lack of representation by school boards on OTAB: With the recently announced additions of one non-voting member from each level of government, federal, provincial and municipal, there is a question surrounding school board trustees as elected officials involved in governance. We believe that this elected body should also be represented by one non-voting member, but this representation should not impact on existing voting education-training seats.

(4) The number of education-training seats on OTAB and local boards: There is strong concern that the education-training community is underrepresented on OTAB, and if indeed local boards reflect the OTAB composition, then the education-training community will not be a full partner in the enterprise. As I indicated earlier, we believe that we have been key players in the past in terms of labour force development, and

we look forward to a continuation and enhancement of that role. We suggest that for balance this sector requires an increased level of participation.

(5) The need for emphasis on the foundation skills, for higher skills training and for a culture of lifelong learning: The lack of adequately or appropriately skilled workers has been an issue for some time. There is a history in Ontario of going outside to find highly skilled workers with the appropriate training and experience for our industries. As educators-trainers, we recognize the urgency for delivering current skills training to our existing labour force and the need to prepare the potential labour force of the future for a competitive, changing global economy.

Beyond the higher skills issue, there is also the issue of the foundation skills such as literacy, numeracy, language and communication. School boards and colleges have long been deliverers of these programs. Universities also are offering foundation skills programs. These are often in conjunction with traditional university studies where students require skills upgrading.

A culture of lifelong learning needs to be promoted for all current and future labour forces in order to keep up to the rapid changes and to enhance and improve the lives of workers.

(6) The absence of regulations with the legislation: In sections 18, 19 and 20, the words "in accordance with" or "assigned by" the "regulations" are frequently repeated, yet the regulations have not been drafted. We realize that this is not necessarily a unique situation. Considering the massive overhaul that this legislation initiates, we would suggest that these regulations be the focus for open debate by all partners prior to the final passage of legislation.

(7) Roles and relationships and options: Again, the act does not provide for a definition of roles and relationships of OTAB and local boards. In sections 18, 19 and 20 the permissive word "may" is frequently used. This would suggest that significant powers could be retained by OTAB. We agree that the local boards must be client-driven and community-based, and therefore the local boards must be granted significant decision-making capabilities.

Members of the standing committee, we responded quickly to create the St Clair Education/Training Committee and are actively engaging in collaborative dialogue as this process unfolds. We are prepared to offer our assistance as a local reference group in the next steps of the process. We believe that the demonstrated willingness of the partners in our education-training sector to actively participate and cooperate provides a model for addressing the immediate education-training needs of our local labour force.

In closing, on behalf of the St Clair Education/Training Committee, we thank you once again for the opportunity to present our views.

The Chair: Thank you. Four and a half minutes per caucus.

Mr Gary Wilson: Thank you for this very thought-provoking presentation. It certainly shows that you've been involved with the process and given it a lot of consideration.

The presentation before you of course addressed the very question that you raised early on in your brief, and you very diplomatically say that you can work with any boundaries

that are drawn. But I'd like you to elaborate just a bit more, if you would, on how that would work, in your view, with the large one. You've suggested that it can work. What about bringing together the various groups in that geographic area, from your experience in your education-training group?

Mr David C. Wood: Certainly, from the point of view of the education-training group. As I mentioned at the outset, we started meeting together as a large region in June 1992. We have had discussions, and frankly, all our organizations have had discussions, relative to the what-ifs of the boundary lines.

Clearly, the position of a number of our organizations is that decisions on boundary lines should be community-driven decisions. I'm not attempting to avoid the question for the education-training group. We have been working together. I believe that there are other sectors, as described within the OTAB structure, that have been chatting in between Essex and Kent counties.

For those of you who may have been privy to some of the results of the hearings that were held in the Lake St Clair region, there were presentations from both areas saying, "Yes, put that boundary line back in." What we're suggesting is—frankly, it is, as I said, certainly the position of my own organization—that that's going to be a community decision. Other people will speak to that. The education community stands ready.

Mr Gary Wilson: You mentioned the education-training committee in your brief, where you suggest there should be more representation. You also mentioned that setting up the board should be community-driven. That raises the expression about "user-driven" for the concept of OTAB. I was just wondering whether you might want to comment on that. Do you see that as being—what shall we say?—a rewarding or fruitful approach, that is, that the people who are going to benefit from the training, the workers or potential workers, as well as labour and employers, should have the main role there, with educators and trainers being well represented, both through their people on the board, as well as the reference group, but there perhaps primarily as advisers?

Mr David C. Wood: Is this the one I leave for you? We would like to think that we are already fairly responsive in terms of user-driven. Within our areas, as I mentioned within the body of the paper, we are somewhat unique in that we have three CITCs: two covering one county—namely, Kent—and one covering Windsor-Essex. They were set up to be able to be representative of the cross-section of the economy. Again, as mentioned, the level of effectiveness has varied.

What we are suggesting is that certainly on the board, two seats out of a potential 22 seems to be a fairly small number for a group of organizations and institutions that have long been key in the development of the labour force and may be able to provide better input with larger numbers sitting around the table, particularly with a mix of the various levels and the community- and private-based trainers. Two seats may allow a post-secondary or a couple of post-secondary institutions.

Some of the private community-based trainers have been around for a long time as well. They're beginning to play a more significant role in the delivery of service. We recognize that and it would not hurt to have a broader cross-section of

the education-training committee on the board. Does that respond?

1550

Mr Gary Wilson: Very good, yes, in keeping with the fairness of your presentation.

Mr Hugert: I enjoyed your presentation, and the one prior to it as well. I want to explore the boundary issue just a little more. I certainly have heard various presentations where the disadvantages of expanding a boundary, for example, have been alluded to, at least in my opinion. I wonder if there is any opportunity for any advantages. In other words, is there an opportunity to link training in the broader term of economic development, in a broader context, in terms of a labour market in a bigger area? Would that lend itself, first of all, to something positive, and secondly, would it not help to create perhaps a diversification in all the communities regardless of the size of the area that's in a boundary?

If you're talking about a very small area and expanding that area perhaps to include, for example, rural areas, is there an opportunity to link that with the broader economic development of the whole region and thereby encourage some kind of a diversification in both areas, rural and urban?

Mr David C. Wood: I hope I can touch on the points you raise in the question. If I don't, please let me know.

Recently, within the community in which I live, Chatham, the city council put together a task force on the economy. One of the outcomes of that particular task force is that, quite frankly, even with our city, which is not a large urban area—ie, about 42,000—there was some confusion about where you can access training and education opportunities: How do you find about them and how do you access them?

The paper mentions, at some point, information centres. Probably one of the advantages that has already come out because of our meeting together as that larger group, and again as is indicated, is that we are much more aware of what all of us do, where some of the strengths are, where some of the resources are vis-à-vis specialized training equipment facilities, and we're a lot more sensitized to private and community-based trainers. So for the first larger region, yes, there's no doubt that there's been information sharing and we probably have a better idea of what is going on.

The diversification, if I understood where you were going in the question, is happening to some degree already. Within some of our educational areas, if you want to become involved in specialized, skilled metal trades types of programs, then you must go to this particular locale, rather than trying to duplicate very expensive installations in other locations.

Linkages will undoubtedly be improved. They would be improved. It doesn't mention, in the paper, some of the examples, some of the linkages that have already been established between one of the boards in Windsor and the university, which is a large jump. Rather than a community college and university, it's a school board and university. They've got some interesting joint operations now going.

Certainly, we believe we've opened the door for those kinds of things to happen within our area, if that's the way the boundaries finally work out. If the boundary line gets there, ends up being put in place, and I know you've already had a presentation probably specifically on that today, then we have

lost nothing and have opened up the channels for communication, for ongoing dialogue.

Mr Daigeler: I think you've mentioned it indirectly already, but could you spell out again for me where you see the main benefit of this new OTAB and LTAB structure over what exists at the present time? You say in your own brief, "Care should be taken not to create new structures which would take away from established partnerships or harm effective, cooperative ventures." Where do you think the main improvement is that might come through OTAB and LTAB?

Ms Maddocks: With regard to the first part of the question, when you were talking about the CITCs and so on, I can suggest to you that I'm from the Windsor-Essex area and he is from the Chatham-Kent area. While we've come together in a very cooperative effort at this present time and really desire to work in that vein, we can look at two very diverse operations that have been happening within those two communities.

Between Essex and Kent there really is a geographic split and a philosophical split in terms of trainers, workers, education and so on and so forth. When you have something mandated, such as OTAB, that says, "This is what we are suggesting and we'd like you to come together," it's going to take a whole lot of education for the people. There's travel involved, that geographic barrier. People connect with Windsor and Essex, and people connect with Chatham and Kent at the present time.

You have some very successful CITCs operating in the Chatham-Kent area, two CITCs. I'm not going to suggest that the Windsor-Essex CITC is not successful, but I'm going to suggest that it hasn't been as successful in the sense of community coming together and whether that was even a geographic situation or organization structure or whatever. We really represent two quite diverse CITCs. We come from areas where you have quite a contrast.

I guess, as I said before, that if you mandate that you come together, and we're looking at this and saying, "OTAB might be taking away these present structures," it would probably be very devastating, by first look, at the Chatham-Kent area where you already have good partnerships, good joint ventures and so on. I'm not sure what we'll do in the Windsor-Essex area.

Now, the second part of your question?

Mr Daigeler: Frankly, I'm still at a bit of a loss. From what you are saying I don't really see a need for a dramatic new structure. There may be room for some refinements, some adjustments and so on, but from what you're telling me, that what's in place is working quite well, why is the government engaging in all of this? Do you really see something through this new measure that's going to be significantly different over what you're doing right now?

1600

Mr David C. Wood: If I can mention a couple of the concerns that were raised, they were probably raised with that type of caveat in mind, namely, indeed in some areas there are very effective operations going on. A lot of community linkages have been built over the years. We indicated that where you have that sort of situation, obviously it would be

hoped that those would be built upon. I guess that's playing back on the words and your rephrasing of the question.

Certainly there are some very good things happening. What we did was, recognizing that OTAB was being introduced, recognizing that at this point in time there is a St Clair district 14, recognizing that we may, as a group of educators and trainers, end up with a situation where we must begin dialogue, we commenced that early.

Mr Carr: Thank you very much. I appreciate your presentation. I have a question regarding the private trainers. It says on page 3 that you represent some of the private trainers. I'll give you an example of some of the problems.

I believe you may know some of the labour groups do not want them involved, and I believe this government does not as well. There is also a concern among some of the colleges, and I'll give you an example. If you're taking a very simple computer course, say, Lotus or something, there are some private trainers that will do it at half the cost, so some of the colleges are very concerned too and have voiced concerns saying that if we're spending public money, it should be into our institutions. On the other hand, if you are spending public money, if you can get a better bang for the dollar in certain areas—I just throw the Lotus out as an example.

You represent both groups, so I'll ask you this: What role do you see for the private trainers and how have you got your members, which are your colleges listed here, to agree to that?

Mr David C. Wood: To agree—I'm sorry.

Mr Carr: With private trainers being involved, or have they in your area? It seemed to be saying you were and I think you've got a big fight. I know it's a difficult question, but take a shot at it.

Mr David C. Wood: We didn't include all our minutes of meetings in the appendices.

Mr Carr: I'm sure they belong.

Mr David C. Wood: Interesting, in that at the very first meeting of this group, as we admit in the document, there were six out of six school boards, one out of one college and one out of one university and we were zero for hundreds of private and community-based trainers in our area. There was considerable debate on it, and a motion was made and passed that indeed it was going to remain; it was simply the public-funded institutions.

At the second meeting, after taking a better look at a lot of the documentation and having probably a more rational discussion, it was recognized that there was no doubt that we would have to try to get some involvement on the part of community-based trainers. Not only did we have to indicate that we were prepared to work with them, but, quite frankly, on their side they would have to indicate that they were prepared to come to the table and sit with us. Letters were sent out on the basis of groups that had made presentations at local hearings, phone calls were made, and we do now have two organizations representing private/community-based trainers that are sitting at the table with us and that participated in the development of this document.

Mr Carr: On their behalf, I'm afraid I firmly believe they're going to be left out of this. I think they will be in the end, and that's unfortunate, because when you look at all the

areas, there isn't enough money going around right now, and what'll happen is that when the government puts them out with some of the funding issues, there will be less and less money available. Businesses will be sourcing government money for training, and I think that's the intention of the government, but we'll wait and see. I may be wrong.

The Chair: Do you want to respond to that?

Mr David C. Wood: I was just trying to follow with it. Were you referring to the—

Interjection.

Mr Carr: Don't you talk, Pat. I've listened to your speeches.

The Chair: Yes, Mr Hayes is here.

Mr David C. Wood: I noticed. Were you referring in terms of the lesser dollars available to what particular group?

Mr Carr: What I'm talking about is, the money that is going to be spent, there won't be any money spent on private trainers. The government is not going to spend any money. They want it through the colleges or whatever. As a result of having no money to the private trainers, there will be fewer and fewer private trainers out there. It's a way to put them out of business. It's a fairly simple idea. I don't know if I'm not saying it right, but basically what it does do is it eliminates these trainers.

Let's talk about your area. You get \$100,000. If you can't spend one cent of that on private trainers in your area, there will be fewer private trainers in your area, I would think. Do you agree? If so, how do we keep them involved in terms of providing for training? Because everybody is coming and saying, "We need more and more training," at a time when I believe there will be less.

The Chair: How do we keep them involved? Go ahead, Mr Wood.

Mr Carr: This is the man who talked 17 hours straight.

Mr David C. Wood: What we have seen over the last few years, frankly, on the part of the publicly funded institutions—I try to avoid that word—or organizations, is that we have become more concerned about access to training dollars rather than the other way around. It has been our view that, frankly, there has been more and more emphasis being placed on getting the involvement of the private community base. I don't see where this is prohibitive in that regard.

The Chair: Thank you, sir. Mr Wood, Ms Maddocks, the committee thanks you sincerely for taking the time and having the interest in coming here and sharing your views and especially the views of the St Clair Education/Training Committee. With this particular committee you've played an important role. We're grateful to you and we trust that you'll be keeping in touch and following this legislation as it proceeds through committee back into the Legislature. We invite you to convey or transmit or send any further views or comments to us as you wish. Please have a safe trip back home. Thank you, people.

We are recessed until 4:20 pm.

The committee recessed at 1607 and resumed at 1626.

COMMUNITY TASK FORCE FOR A LOCAL TRAINING AND ADJUSTMENT BOARD FOR YORK REGION

The Chair: The next participants are here. We are ready to proceed. Ms Morrison, Ms Springstein, would you please come forward and have a seat. This participant is the OTAB business section, business steering committee, York region. Speaking on behalf of that committee are Diane Springstein and Heather Nicolson-Morrison, who is a co-chair. Ms Nicolson-Morrison is a very good friend of dear friends of mine, Donna Glover and Craig Loisel, whom I love very much but haven't been able to see for a long time. So I'm hoping that when she goes back to Newmarket she says hello to them and wishes them well, along with their two sons, whose names are—

Ms Heather Nicolson-Morrison: Kyle and Scott.

The Chair: Please go ahead with your comments.

Ms Nicolson-Morrison: As you already know, I'm Heather Nicolson-Morrison, co-chair of the business sector, Community Task Force for a Local Training and Adjustment Board for York Region, and manager of the Newmarket Chamber of Commerce. With me is Diane Springstein, a member of the task force and a director of the Newmarket Chamber of Commerce.

We are pleased to have this opportunity to speak directly to the committee about our concerns regarding the OTAB legislation. The business task force for a local training and adjustment board is comprised of the chambers of commerce and boards of trade of division 18 of the Ontario Chamber of Commerce, which is York region. The areas represented by this committee include Newmarket, East Gwillimbury, Georgina, Aurora, Richmond Hill, Vaughan, Markham, King and Whitchurch-Stouffville. This task force represents the businesses of York region, with a combined force of 262,000.

As business owners and representatives, we agree it is important for the future of Ontario that all sectors of the workforce cooperate and, consequently, applaud the conception formulating the legislation. We are concerned, however, that some portions of Bill 96 could present insurmountable barriers to the well-intentioned expectations of all groups involved.

Our concerns are as follows: equity of representation; absorption of all other training programs; focus of training; psychology of newly trained workforce; equity of funding; accountability, financial; accountability, right of recall; consensus-making on OTAB.

Equity of representation: The emphasis of this bill still seems to be labour-focused. It has been suggested that unionized appointees can represent non-union groups, but their objectivity and orientation could be open to question.

There is some discussion in the document Questions and Answers, OTAB project, November 23, 1992, as to how employees not belonging to a union could be represented at the OTAB level. The short answer indicates that the unionized labour delegates would represent them in all aspects.

In York region, 32% of employees are unionized; 75% of this group come from the public sector. Non-unionized employees have contacted us to express concern over this format, not wanting to be represented by a union appointee. We suggest that a provincial study be undertaken through the Ministry of Labour to determine statistically the unionized/non-unionized

makeup of the workforce and that the percentage representation within the eight members of the labour section reflect the outcome of this study. In other words, if 50% of the labour force is not unionized, then four of the eight seats would be appointed to non-union labour representations.

Additional research would have to be furnished on part-time employees and consideration given to who would represent their interests. In Georgina, 25% of the employment positions are part-time. Again, a percentage taken from the labour makeup would represent these partners at the OTAB. The same suggestion would apply to business appointees, small or big, member of chamber or not.

Considering the all-encompassing composition of labour market partners, the assurance of equity will be difficult. It is possible that non-union employees and small business owners who share common concerns that are vastly different from those of large business corporations and grass-roots social services organizations could effectively be denied representation. This glaring inequity must be addressed before the legislation is passed.

Throughout the legislation itself, and within other related discussion papers, the agricultural component has been excluded. If a business seat on OTAB is designated to represent agriculture as a business, then concurrently a labour seat must also be employed to represent farm workers.

OTAB and other training programs: Will OTAB absorb all the other training programs in Ontario?

On October 15, 1992, the Honourable Richard Allen, Minister of Skills Development, stated that the Canada Employment and Immigration Commission, Ontario region, the Canadian Labour Force Development Board, the Ontario government and the Ontario training and adjustment interim governing agency will be working together to develop a series of proposals as to how local regions might go about the implementation process. We question the feasibility and logistics of these combined groups reaching consensus in the accomplishment of this goal.

Within the federal government, Employment and Immigration has announced through Minister Valcourt that \$250 million will be invested in the development of the creation of stronger sectoral partnerships and comprehensive human resource development strategies where labour, management and government share a common purpose in investing in workers' skills. If we are striving to amalgamate different levels of government to work together on training development and issues, why are initiatives of this sort being introduced now? If federal programs are not to be absorbed, then why are we duplicating efforts? This is not cost-effective.

Focus on training: It is imperative that Ontario and indeed Canada adopt a learning culture which will continue to develop and correspond to changes in technology and the economic condition within the global marketplace. Therefore, it is essential that we support this vision by investing in our workforce.

Will the appointees to or the employees of OTAB have the knowledge necessary for economic forecasting? It is detrimental to Ontario to retrain a workforce for positions that may become redundant. This training could prove to be a dangerous placebo. Some of the training dollars could be used more advantageously to promote economic research in

our business community in order to determine the best direction for industry and manufacturing.

Psychology of retrained workers: During this recession, many jobs have been lost which will never be regained. How do we, as labour partners, ensure that the training or retraining that Ontarians receive is not just a facade? Moreover, how do we determine that this training will ultimately result in worthwhile job creation for positions that will not stagnate?

We are at an economic turning point and can no longer support the lifestyle expectations that exist in the workforce today. An employee who was trained to work on an assembly line making \$18 an hour with benefits in a plant which has been closed down will re-enter the job market or workforce after retraining with many of the same salary expectations, only to discover the lifestyle no longer exists.

How do we ensure that the OTAB does not create a false sense of security or expectation? With the rate of taxation and other legislative pressures, business can no longer sustain all the demands. All partners must realize that Ontario must strive to create a healthy economy and that business must be fostered in order to survive and provide for the populace.

In cases where a plant closure occurs, the employees, even after retraining, may have to relocate to find employment in another community. If a plant closes, retraining the local workforce may not be the solution, because it is an unknown factor as to whether another business will move into the community to provide replacement employment. A case in point is that of the mine closures in Elliot Lake, which left a desolate community where many members were forced to move and seek employment elsewhere.

Equity of funding and training: How will OTAB ensure that distribution of programs and funding is made equitable within society? Is the training to be provided to the unemployed or to those presently working and wanting or needing to upgrade their skills within the same job?

There are professional groups which are currently not being treated equitably by government training providers. An architectural firm contacted our office with a comment about skills funding. Evidently, when taking AutoCAD courses during the recession, the professionals—architects who need this upgrading and incidentally are going through a slump and therefore have the time now to upgrade—are receiving only 35% funding. However, their competition, contractors and draftspersons, can and have received up to 70% funding. It has been estimated that 73% of Toronto's architects are unemployed. It seems this is a discriminatory action and one wonders how OTAB will ensure that its particular program is made open and accessible to all players in a fair and equitable manner.

Accountability—financial: With a budget of approximately \$400 million to \$500 million, how does the OTAB intend to be accountable to taxpayers? The proposed budget must be dispersed effectively but based upon what criteria? Need? Population? Unemployment? Will areas contributing an equal dollar be receiving an unequal share? Will provincial concerns and directives take precedence over local concerns? Will political agendas replace labour market concerns?

Are the costs of running the bureaucratic and appointed body of OTAB included in this sum? It has been estimated

that if all councils are created, there could be up to 122 people involved.

Under the existing structure, federal-provincial funding goes directly to agencies. Taxpayers will be funding yet another bureaucratic level of administration. Will these employees be trained to evaluate, assess and ensure equitable service delivery to all sectors of business, especially if these employees are members of the collective bargaining unit of government?

Accountability—representational: The term of office, section 9.5, needs to be modified to incorporate an annual performance review process in order for respective reference groups to deal with replacing a representative if the need arises. We have all had the experience with board members who are members in name only. The commitment to this board is too serious to be compromised. The right of total recall must be given to the labour market partners in order for them to replace a member at any time. A member is nominated or selected by the labour market partners and subsequently appointed by the government. Therefore, it seems more democratic that the minister turn over the right of total recall to the labour market partners and that requests to replace appointees be acted upon by the minister's office, not merely considered by it.

Consensus-making: It is a positive step that the OTAB governing body will be allowed to participate in the formulation of regulations. Before decisions can be made, the matter of quorum and procedure when consensus cannot be reached must be addressed. A double-majority vote would be the most effective. Each section, business, labour and special interest appointees, would require five of the eight votes per group as a minimum requirement to proceed.

Conclusion: Let us act in true partnership, acutely aware of each other's needs while working towards a common, agreed-upon goal. Like many concepts, this one is ideal, but is it feasible from a realistic perspective? Before final reading, please accept and consider what various partners are suggesting in order to make a worthwhile piece of legislation work and not become just another stone around the partners' necks. Thank you.

The Chair: Five minutes per caucus.

Mr Offer: Thank you very much for your presentation. I found it to be very helpful. I want to go through parts of the presentation, because you've asked a question on page 2, which reads, "Will OTAB absorb all other training programs in Ontario?" I think that's an extremely good question. I'd like to have the answer to that and maybe, Mr Chair, through you to the ministry staff and to the parliamentary assistant, we can get an answer to this particular question.

People are coming before this committee, they're talking about the legislation and there's nothing to hold on to, there's nothing to touch. It's all by regulation. They don't have a feel as to what this thing is actually going to do and how it's going to do it. I think your question is one I will be making, have made and am making. I'd like to have an answer to that question for this committee.

1640

Mr Gary Wilson: We've noted it, Mr Offer.

Mr Offer: As I move forward, I'll be getting to my question. The focus on training on the next page—I hope that everybody re-reads that first sentence because I'll tell you, this bill is chock-full of objects and purposes and I think you've just summed it all up in one sentence and maybe we could be looking at that for a little bit more focus as to what the bill is about.

I'll get to my question, and that deals with consensus-making. I share a concern. I'm not certain that I agree with the double majority—I've heard that suggestion—but I do share the concern about how decisions are going to be made and, as I was listening to your presentation, I quickly looked to the legislation. It says there will be regulations which govern "the decision-making procedures followed at directors' meetings."

We don't have anything more than that statement. I think that causes me a great deal of concern. I don't care what position people have with respect to the legislation, I think they should all be concerned with that type of provision.

My question to you is based on the double majority. If one moves towards the double majority, how is it that we can have that without, in a very real sense, potentially stagnating and stalemating the decision-making process? If you have to have a majority of the whole group and a majority of each of two groups, then a minority of one of those groups can really stop decisions of a larger number of people. I've been trying to wrestle with how you'd get around it, how you can stalemate that stalemate problem.

Ms Nicolson-Morrison: Well, it would only be nine people who could actually or who would be accepted as voting against something. Therefore, it would make it more equitable.

I understand what you're saying, but it's like anything. When you're even doing a strategic plan, if you don't have consensus then it doesn't work. Maybe this is the way we get consensus because, obviously, if there's enough concern from any of the partnerships, they would vote against it. Therefore we have to look at this again because there has to be a reason why that is. This is such an important piece of legislation to the future of Ontario and it's important for all the partners.

If anything is going to stop nine people from voting yes, then we have to look at it again until they're willing to say yes, and compromise maybe, research maybe. But this is just too big an issue for it to be 12-12 and that's the end to be 12-12 and that's the end of it. It's just too important a procedure for us, and especially for the future of our children, because the training skills—in a couple of minutes I'm going to be speaking with another group, but this is so important. If nine people vote against it, then there's something wrong and therefore we have to—

Mr Offer: So you're saying that the mere fact that there is a double majority will be a boon to arriving at consensus because the fact that you have to have a double majority will result in decisions of a consensual nature? It will move towards that?

Ms Nicolson-Morrison: Yes.

Mr Offer: I think that in another matter, in the Workplace Health and Safety Agency, there have been some major problems around this whole area which have caused a great deal of concern, so it was this area that I wanted to

particularly focus on. But I did want to thank you once more for the presentation. I do believe that the question you asked, which I referred to earlier, is one which we must have an answer to, and certainly the issue that you've brought up over consensus and the actual decision-making process is one which I think we would in many ways be almost foolhardy to move forward with legislation without knowing in legislation how matters are to be decided. I thank you very much for the presentation.

The Chair: Thank you. Mrs Witmer, please.

Mrs Witmer: Thank you very much for your presentation. There were certainly some points here that have been made by others which need to be emphasized and which I certainly agree with.

I think one of the questions you raise here is how we ensure that OTAB does not create a false sense of security or expectation. I can tell you that we have had groups before us that certainly have very high hopes and expectations and I believe they're going to be bitterly disappointed that perhaps this board is not going to create the jobs for them, because within this bill there does not seem to be a recognition of the fact that it is the private sector that creates jobs. Particularly missing from this bill is an opportunity for small business to be represented in any meaningful way on the boards.

I'd like your comments. In many ways, this bill is focusing on a model of the economy where you have the large manufacturing firms and the large industrial-type unions, but it's neglecting—as you've pointed out already—the employees who are not unionized and small businesses. I'd like your comments on that.

Ms Nicolson-Morrison: In York region, in particular, that is of concern. When we were doing the research for Bill 40, we found out through York region that 75% of York region is small business. Therefore, they don't have unions. Their employees might be three people, which is not a union-sized group, plus the businesses themselves. Their concerns are much different from the IBMs and the banks and everything else. They always feel that they're the backbone of Ontario, but they're never paid heed to because they may not have the big corporate tax dollar, but they are the backbone. In our case, 75% of the workforce comes out of that area; 75% of the business is there. Therefore, they feel that they want to be able to say something about the future of skills.

This group in our area has a lot of questions about where the training dollars are going. Where do we go if in some cases our retailers, if the big factories—in Newmarket, Dixon Ticonderoga closed down last year. That was one of our factories. Therefore, part of the base that provides their economy is gone. They want to know: "Okay, these people are gone. How are we going to retrain them to keep them in town, to keep ourselves moving?"

They have all kinds of questions which are, as we said in the paper, very different from big business's. Some of them are on the same lines, but a lot of them are different because their concerns are different. I think you'd find all over the province that things are going to change.

We don't have a lot of unionized groups in our area. I think if you take away the public sector, we're down to 1%. However, an area like Toronto would have a larger

one and, therefore, again the focus within business is different than we are.

Mrs Witmer: Actually, the suggestion was made by at least one presenter that the local boards should represent the percentages in each area. If you've only got 1%, obviously there would only be representation from that 1%.

One of the other issues that seems to be presenting a problem, particularly for employers, because again they're going to be asked to pay out—and this is something that was recommended, I guess, by the Ontario Federation of Labour—is that there be a payroll training tax administered and employers would pay that levy. Obviously, you've indicated here that business in this province can no longer continue to pay increasing taxes. I'd like your comments as to how revenue can be generated and what would be the impact of an employer levy.

Ms Diane Springstein: Perhaps we'd be wiser to look at a user fee. I think certainly small businesses, and I am a small business owner, can't sustain another tax, not and survive—or wait until the economy is stronger, but perhaps a user fee and if we're going to retrain and will reap benefits from it, then there will be some sort of levy.

1650

Ms Swarbrick: I sat last week, as did my colleague Mr Carr across the room, on the finance committee that was dealing with the pre-budget consultations, hearing from representatives of the major banks and financial institutions' economists talking about the economic situation and what we should be doing about it. I think it's interesting that you seem to be coming at some things quite differently than most of them did.

You questioned—I'm not sure what the page numbers are—why initiatives like OTAB are being introduced now and questioned some of the issues in retraining the workforce. What we heard time and again from most of the representatives of the economic sector last week was that training is very clearly the way to go right now if we're going to be able to build a stronger economy. They were quite adamant that these are exactly the kinds of programs that we need to be investing more in right now.

I was also going to mention that I was especially interested in the representatives from the Conference Board of Canada, who were saying something that I think kind of flies in the face of your comment about whether it is detrimental for Ontario to retrain a workforce for positions that may become redundant, because they were actually saying that they believe supply and demand can work the other way around too, that if you've got a supply of highly trained, educated workforce, you will end up with the supply causing the demand to exist as well, and that if we want to build healthy communities and regions like York and elsewhere, we need lots of trained workers.

You're asking about whether we are not duplicating efforts. I just want to point out that in fact a whole part of the philosophy behind OTAB is to get rid of a lot of the duplication. We're looking at taking 48 different programs that right now are operated by 10 different ministries and getting them together in one to get rid of a lot of that duplication of administration, and to work much closer with the federal government and the municipal levels of government for that purpose as well.

I think the last thing I'd like to comment on is in terms of your question about the validity of having unions represent working people in this kind of a context. I'm wondering if you realize that it's not just in Ontario that this is what's proposed. At the federal level, in the other provinces and even in Europe—we've received information here clearly about the Netherlands and Germany, which have very strong economies—it's the union movement that represents working people there.

I'd point out to you something I learned because of ending up with the good fortune of being involved in unions in my life. If you think of the history of this country and many others, this is the not the first time we've looked to the labour movement to be the ones who represent all workers in trying to make social gains and stronger programs. It's been the union movement that's led that for us in terms of unemployment insurance, workers' compensation, sick leave, vacation leave, maternity leave, parental leave, health and safety protection, pensions, medicare; you name it, it's always been the unions that have been out there fighting on behalf of not just their members but all of us.

I guess the last thing, and this I will put to you as a direct question is, if you look at how you're going to select people to represent workers, if it's not through the unions, I'm wondering how you would answer that, because I can't see an answer that would end up meaning anything else than that you're relying overly on the employers to end up selecting who they think are best from among their workers.

Ms Nicolson-Morrison: I'd like to answer that, but first I want to come back to two of your comments. The first one is that I think you've missed the focus of our paper. We're saying yes, training is important. We're going into a kind of global comparison where we have to start participating more. We're not saying don't train, but what we're asking you is, who's going to make the decision what we're training for? That's where we're coming from.

We're not saying don't train. We're saying yes, train, but I think what we're saying is that you have to be very careful. I think we make the statement right inside that there's no use training if the job becomes redundant again.

In the 1950s, when we had automotive plants, it was great to have people trained to work on assembly lines. That was fantastic. It's not great now, and I guess we're just flagging that.

Ms Swarbrick: My apologies then. I guess that's why we're looking at making sure that the workforce partners are very clearly—

Ms Nicolson-Morrison: But this is what we're saying, and that's why we asked the question, are the people who are kind of the bureaucrats within this, the representatives, going to have economic knowledge of how to help us make those decisions within the marketplace?

I guess my other comment would be—I'm trying to remember. You had a lot there. You made a second comment that I wanted to comment back on, because I think it's—

Ms Swarbrick: Duplication?

Ms Nicolson-Morrison: The duplication does concern us. There are a lot of programs. There was another one, and I just received it on my desk today, where part of one of the colleges has opened up. These are starting now, and our

question is, why are these initiatives starting now when we have OTAB coming on? It sounds like a lot of the descriptions are the same. It's a partnership between the workers, the businesses and the social service groups. I've seen three come across my desk, and these have been since November. Our question is, why are these being started now when we have OTAB starting up? That's our question: Why are these initiatives coming into play now? Shouldn't you put a hold on them till we know what we need and umbrella them all under the OTAB so we have one governing agency deciding where the training's going?

The Chair: Is that something you can or want to respond to, briefly, Ms Swarbrick?

Ms Swarbrick: Perhaps the parliamentary assistant would like to comment.

The Chair: Yes, go ahead.

Mr Gary Wilson: Yes, I'd like to comment.

The Chair: Briefly.

Mr Gary Wilson: Of course it is a concern. The thing about OTAB, as you say, starting up is that it's not going to be something that will happen overnight. We need the enabling legislation, which is what the committee is looking at right now, which has to be passed in the spring session.

The OTAB project team—you've probably had some contact with them—which has done an excellent job in pulling together the components that are necessary even to discuss OTAB, will be working on the plan that would be presented to the government and to the governing board of OTAB to effect the transition, which will probably take about two years to be completely effective. The overriding concern, though, is that there be no disruption in service to the people who are benefiting from the training, as well as the trainers, so that transition will take some time. It isn't a question simply of passing the legislation.

Ms Nicolson-Morrison: I understand and I'm agreeing with you, but that's something that should be clarified because it's very confusing when you're receiving all these initiatives and you know the OTAB's coming through.

The Chair: I want to thank, on behalf of the whole committee, the OTAB business section, business steering committee, York region, you, Ms Springstein, and you, Ms Nicolson-Morrison, for your very articulate expression of the views of that committee. We're grateful to you and your committee for having shown the interest and taken the time to come here and share your position with us. Thank you kindly.

YORK REGION ROMAN CATHOLIC SEPARATE SCHOOL BOARD

The Chair: Ms Nicolson-Morrison, you just stay right there. Ms Springstein, please don't feel obliged to leave. You're welcome to stay and have coffee. We've got the York Region Roman Catholic Separate School Board.

Mr Offer: Mr Chair, in my opening question to the previous delegation, I had asked a question through the Chair to the ministry staff based on that and I just wanted to make certain that it was duly noted and getting—

The Chair: Yes, we'll deal with that before we leave here today.

Okay, people, please tell us who you are and in what capacity you're speaking. We've got your written submission, which will form part of the record by virtue of being filed as an exhibit. Please try to save the second 15 minutes of this half-hour for exchanges and dialogue.

Ms Nicolson-Morrison: As you already know, I'm Heather Nicolson-Morrison, separate school trustee for Newmarket and OTAB committee representative for the York Region Roman Catholic Separate School Board. With me is Terrance Ryan, chairman of the York Region Roman Catholic Separate School Board and trustee representing the town of Markham, and Charles McCarthy, coordinator of adult and continuing education, York Region Roman Catholic Separate School Board.

We are pleased to have this opportunity to appear before the standing committee on resources development and to share with you some of our concerns about OTAB, the newly formed crown agency which will be responsible for the leadership, management and coordination of Ontario's labour force development policies and programs.

The York Region Roman Catholic Separate School Board supports this excellent initiative taken by the province of Ontario to address the major concerns associated with labour force development for those currently unemployed, those requiring training or retraining and for those entering or re-entering the workplace.

We share the belief that in order to thrive, Ontario's economy needs to respond to global economic pressures, demographic shifts and technological innovation. Ontario must create a skilled and flexible labour force to realize the opportunities economic change brings. The labour force development system must be more responsive to labour market needs and we applaud the steps in this initiative which call for a consultative process through the building of partnerships between labour, business, training providers and community social action groups.

While we recognize that many of the unemployed and those requiring training are beyond the age of those typically served by school boards, we firmly believe that elementary and secondary schooling has played a significant role in shaping both the career paths and the attitudes and values that many of these individuals hold. We also believe that educators from the publicly funded school systems, both separate and public, have an ongoing and vital role to play in the lifelong education and training of Ontario workers.

1700

Our major concerns with Bill 96 will be addressed under the following headings: composition of the training and adjustment boards, role of the Ministry of Education, apprenticeship, credibility, formation of links, special needs of those with disabilities, and boards of education as training providers.

Composition of the training and adjustment boards: The act states that representatives from labour, business, community social action groups and training providers are to serve as directors on both the Ontario and local training and adjustment boards. The act also specifies how many members from each of the above groups are to serve on the boards. We believe that educators are not sufficiently represented on either the provincial or local board structures and request that the

standing committee approve the following addition to section 9 of the act: that of the seven directors representing business at both the provincial and local levels, one be an education administrator, and of the seven directors representing labour at both the provincial and local levels, one member be from one of the affiliates of the Ontario Teachers' Federation. This addition would then allow for the two directors representing educators and trainers—paragraph 9(2)4—to come from the community colleges, the universities, the trustee group or one of the other teacher federation associates.

The benefits of this change would be that the program providers would be well represented during all decision-making processes and that both publicly funded school systems could have representation on the boards. Such representation would guarantee a significant voice by the education community at both the provincial and local levels. It would enable the same group to hear the concerns of business and labour about education and the expectations they have of schools, and would facilitate the planning and development of appropriate and relevant courses of study. Such a change would also support section 4(1)16 of the act, which states, "To seek to ensure the strength of Ontario's publicly funded education systems."

Role of the Ministry of Education: In his statement to the Ontario Legislature of November 23, 1992, the Honourable Richard Allen, Minister of Skills Development and minister responsible for the OTAB project, stated that "With OTAB, the people of Ontario will have easier access to a coordinated training and adjustment system better able to meet the needs of the economy, employers and individuals."

We appreciate the positive spirit of this statement. However, our reading of the act and the accompanying documentation fails to clarify just how the recommendations brought forth by OTAB/LTAB are to be acted upon. The Ministry of Education is responsible for the policies and programs that affect publicly funded schools in Ontario, and although individual schools have the autonomy to develop and implement programs which support community needs, we feel the Ministry of Education should be a highlighted and clearly visible partner in the OTAB development process if the recommendations are to be adopted. Our reading of the documentation does not indicate that this is so, and we ask the standing committee to review this situation. It is our belief that the OTAB and the LTABs will offer some excellent suggestions which should be acted upon by schools. However, in the absence of a formal mechanism for ensuring that significant change will take place, it is possible that such recommendations could remain just that. We ask that the notion of partnership between OTAB and the Ministry of Education be carefully reviewed to see if it cannot be strengthened.

Terry Ryan will now present the second part of our paper.

Mr Terrance Ryan: The publication *Skills to Meet the Challenge: A Training Partnership for Ontario* recommends that employers, labour and educators reform apprenticeship and expand its role in the school-to-workplace transition. The York Region Roman Catholic Separate School Board recognizes the value of apprenticeship programs as a very worthwhile career option for students. We wish to emphasize that if Ontario is committed to supporting apprenticeship, leadership through the Ministry of Education and commitment of moneys are essential.

Credibility: OTAB is a very ambitious and comprehensive initiative intended to solve an acknowledged problem with current training practices. As we stated in our introduction, we applaud this program; however, we do have some concerns. Is OTAB assuming a manageable-sized task? Is it reasonable to assume that the local training and adjustment boards will be sufficiently able to gather the correct information and to correctly predict the training needs of the future? In spite of some assurances given in the act and the related documents concerning accountability, we have some concerns about the potential consequences if incorrect or misguided information is given.

We must also ask with whom OTAB will have credibility and how this credibility will be obtained. Will OTAB be viewed as just another level of government which in practice has very little impact on anyone, or will it indeed be perceived as a solution to many of Ontario's employment problems?

We request that the standing committee re-examine this act to make sure that it can truly address Ontario's labour needs. As trustees we are fully aware that if the programs and courses taught in our schools do not satisfy the employment needs of our communities, our young people will continue to find themselves unemployed or underemployed. Business and labour will continue to say that schools graduate young people without the necessary skills. We believe it is time to put an end to this negative rhetoric.

The formation of links: The act in paragraph 4(1)8 states that a major objective of OTAB is "to establish links among labour force development programs and services, the educational system and social programs and services...." Our board highly endorses opportunities for the development of partnerships and for the consultative approach to problem-solving. We would like to see more specific direction given to the local boards about how this link can and should happen.

Boards of education as training providers: Paragraph 4(1)15 of the act refers to the need to make effective use of Ontario's diverse educational and training resources. We believe it is important to clarify a perception that exists among some segments of Ontario society which believe that schools and universities educate, while community colleges and some private institutions train.

Publicly funded schools could assume a greater role in the training aspects if expectations were clarified and clear policies, along with financial support, were provided. We would welcome the opportunity to partner with labour and other agencies to offer appropriate adult and continuing education programs. For example, the York Region Roman Catholic Separate School Board is very pleased to offer LINC training, language instruction for newcomers to Canada, in partnership with two community agencies to adults in our region. Our board has thoroughly appreciated the consultative approach taken by Employment and Immigration Canada in the development and implementation of this program. We trust that OTAB and the LTABs will consider boards of education as viable and capable trainers who have an important role to play in meeting labour adjustment needs in Ontario.

Special needs of those with disabilities: The York Region Roman Catholic School Board appreciates the acknowledgement given in the act to the needs of women, aboriginal peoples, racial minorities and persons with disabilities to be

heard and actively involved in the decision-making process regarding employment and training. Our school board has had a long-term commitment to gender and ethnocultural equity initiatives and was one of the first school boards in the province to implement a mainstream approach to the education of young people with special needs.

We are aware that the current economic situation has forced businesses to downsize and to refine labour practices. In the pursuit of efficient and productive employees, it is conceivable that these business initiatives have had a negative impact on employment opportunities for the disabled. Our concern is, what extra steps will OTAB take to ensure that such individuals receive at least equal opportunities for retraining? We are also concerned about those individuals whose abilities are such that they cannot be retrained. We very much like paragraph 4(1)11 of the act but would prefer to see protection for the disabled more clearly articulated.

In conclusion, members of the standing committee, the York Region Roman Catholic Separate School Board thanks you once again for the opportunity to appear before the House. We wish to reinforce our belief that business, labour and education must work together as real partners if Ontario is to continue growing in a global economy. Neither labour nor business can control or predict the direction of Ontario's economy. The best that can be arrived at is an educated guess based on conscientious, careful and committed collaboration. While differences must and shall be respected, consensus for the common good of all is required.

In philosophy, OTAB is an excellent idea. Reports and communications from the OTAB team demonstrate the positive commitment they feel towards their project. We nevertheless wonder if, in practice, OTAB is possible to implement. We urge the minister to thoroughly investigate the viability of implementing this program, and if research suggests that it is not practical to proceed with implementation, we ask the minister to ensure that these excellent ideas are not lost; that they be pursued for implementation purposes through other government agencies.

The Chair: Thank you. Ms Witmer, five minutes, please, or Mr Carr.

Mrs Witmer: Thank you very much for your presentation. It's interesting to hear from the York board. As a former trustee and chairperson of another board it's always interesting to hear the perspective, and I know that the educational community is quite concerned, particularly about the representation and the role they're going to have to play on this committee.

1710

I have one question for you. You've indicated that you do have some concerns about what's already been put forward. What recommendations would you make to the government at this time concerning changes it should be making to Bill 96? What particular amendments do you feel are absolutely essential?

Mr Ryan: I would suggest that you consult with the staff of the Ministry of Education. There are a number of excellent people from an educational background in that ministry and I believe they would be quite prepared to suggest ways that the relationship with the school boards can be increased and

implemented or stated in the act, as to how the school systems and OTAB should work together more cooperatively and do what's in the best interests of the kids in training them for the future. I think there have been a number of task forces on restructuring of education. There's a task force in technological education that has made a number of suggestions about linkages for apprenticeship programs. I think those resources are in the Ministry of Education now and would be available to this ministry for consideration of possible changes to strengthen the link between the two ministries.

Mrs Witmer: Okay, that's something that certainly can happen. But as members on this committee, our job right now is to look at ways in which the present bill can be amended and changed to make sure it does respond to the needs of people in the province. You did mention, for example, the composition of the local board, that you would like to see one representative from the administration and that one of the directors representing labour be a member of the teacher affiliates. Is this something you feel very strongly about? Would you like to see the government make that type of change?

Mr Ryan: Yes, we do. We believe that's very important. The administrators from the educational system know how to run educational programs, to implement them, to staff them and the pitfalls of training people. In the educational system in Ontario, there's a lot of adult education and retraining of people. They have those skills. We believe teachers, because they are professional educators, should be involved in the system as well and should be recognized, through their associations, as being involved in this process.

The reason we believe that these people should be involved is because the government of Ontario has spent hundreds of millions of dollars building facilities in secondary schools, which provide the environment and the facilities to do a lot—not all of it, but a lot—of this training. One of the dangers of not involving the educational community is that you run a risk of duplicating facilities. Some of the newer high schools in our region are very sophisticated technological environments and the danger is that a local OTAB is going to be running around trying to rebuild things that may exist in the corner school. The local educators are aware of this and they're aware of the programs, of the curriculum that's been developed to teach technology. They can work together with people from the unions and people from business to develop curriculum that they can properly retrain people.

Mrs Witmer: Just as one note in conclusion, I have three nieces who attend your school system and I want to tell you I hear nothing but compliments from the family. Apparently, you do have excellent educational facilities at both your elementary and secondary schools. I congratulate you on that.

Mr Charles McCarthy: If I may, please, my name is Charles McCarthy. I haven't spoken yet.

The Chair: You're not going to refute what her nieces say about the system?

Mr McCarthy: No, never. One of the projects that our board got involved with this year, and it was made mention of in the paper, was the LINC program. When we had our initial discussions with Employment and Immigration Canada, one of the realizations it had was that it felt it could seek beyond just the colleges for the training and felt it would be to its advantage.

In this case, it was the language training. The initiative involved community input. In York region in the last year, as well as Seneca College offering this program, both the school boards have. It's been a very productive and worthwhile process for the boards and Employment and Immigration Canada, and needs are being met in different ways.

I think that initiative demonstrated that consultation involving more partners and more program deliverers benefits all, and that's why we propose strongly recommendation 1, where on the actual committee itself we have more people from the educational field, four out of the 22, as well as involving the Ministry of Education, because we do see a real need, particularly in our community where, for example, many of our young adults left school during the boom to go into the trades. The trades have now dried up, so what do you do with these people while we're trying to fit them back in? I think the secondary school systems have a great role to play there, and that's why those two recommendations particularly.

Mrs Witmer: I agree.

Mr Gary Wilson: Thank you too for a presentation that I found really brings to light some things in this legislation that I'm pleased to see you support in a very strong way, in particular, of course, paragraph 4(1)16 about the act seeking to find ways to ensure the strength of Ontario's publicly funded education system.

I must say, with some frankness, that I expected some members of the opposition to bring this into clearer focus because of some of the things they've said about our publicly funded education system. In fact, when you say in your document that you hear the concerns business and labour have about education, the expectation they have of schools, with the sense that there's some criticism there, I really haven't heard that in a strong way; that they see OTAB as complementing the education system through what the education system, the public school system, is supposed to do.

I want to ask you too about what it is you see as the role of the schools, because you raise it here in what I find a bit ambiguous—you say, "We believe it is important to clarify a perception that exists among some segments of Ontario society which believes that schools and universities educate, while community colleges and some private institutions train."

It's that dichotomy between education and training. Are you saying that's a misperception then, and that schools can train? Could you go on to say then what should the balance be, and on the other hand, in places like the community colleges and the private institutions, what role should there be for education and training?

Mr Ryan: One of the the fastest-growing and most popular programs in our high schools now are the co-op programs, where the kids spend some time in the classroom and some time with an employer, and they're getting some on-the-job training. That's growing very rapidly. So that's the type of thing we're looking at, working with labour and business to make sure we have good placements, productive placements for the kids, and that the educational part of the kids' day is appropriate to what they're working on in the workforce and that it's a good balance of skills being developed. I see that as a big wave of the future.

The other thing we would like to see is talking with the labour unions in terms of the apprenticeship programs, making sure that what we teach the kids in technical courses or technology courses is an appropriate base for when they get out into the working world or on job sites. Are we teaching them the right safety standards? Are we using the right equipment? Are we teaching them the right techniques, so that they don't have to be retrained when they actually get out into the real labour force? These are the types of relationships I think we have to work at. I would hopefully see OTAB or the local boards helping the educational system develop.

Mr Gary Wilson: I guess one of my concerns is sort of a general approach so that there is some capability to be trained at different types of jobs, that it's not so specialized and so particularized that people are just being trained for one position without being able to adapt more easily, as well as the wider things about how the various social questions are dealt with, which I see as being particularly essential for teaching in the schools.

Mr Ryan: Ideally, the schools would provide the environment to expose the kids to a wide variety of technological activity, and then when they get some familiarity or comfort, or if they're drawn to one more than another, they could be sent out into the labour force to learn more specialized skills or to delve into one at a deeper level with professionals who are actually doing the work on a day-to-day basis.

1720

Mr Gary Wilson: I want to turn now to one concept about OTAB, especially when you suggest you're concerned about the number of places on the board, to say that the directors and the groups they represent are, I guess, governed by a belief that the system should be more user-driven than it is now, that the people who are providing the jobs—that is, the employers, the labour market partners, in effect—should be the ones who are driving the system and that the educators and trainers then would be providing more of a secondary role; that is, of advising them, just again to get that immediate participation by the people who are going to benefit from the system.

Mr Ryan: I guess it's important that everyone have an appropriate level of say in it, and there's a number—

Mr Gary Wilson: To help you, maybe I could say that the appropriate level comes from that shape of a system; that is, the way it works now perhaps is that there are too many programs designed by educator-trainers that people have to fit into, rather than starting at the other end and seeing what people need, then trying to design the systems to better—

Mr Ryan: I believe the driving force behind this has to be the economy. We have to be developing skills that are needed in the marketplace, and business and labour should be the key players on this board. We're not suggesting that the education people should be a dominant force, but should have some representation, really as a service link for the business and labour groups, in advising them and helping to achieve the objectives the majority would set. It's really adding additional education representation as opposed to decreasing the proposed representation from labour and business.

Mr Offer: Thank you for your presentation. I'd like to explore an area on page 6 that has been explored by Mr Wilson.

I want to get a clearer understanding of the concern that you have with respect to paragraph 4(1)15. Is it your feeling that the wording in that subsection is one which may work to the detriment of the public education system?

Mr Ryan: If it continues to develop the feeling or belief that the high schools aren't part of the training process. One of the problems for years was that high schools were seen as preparing people for university, and if you weren't going to university, you just sort of put in your time until you were old enough to go out to work and then someone else had to worry about apprenticeship and training programs.

Over the last 20 years or so, we've begun to recognize the fallacy of that approach. We've tried to recognize that high schools have a number of purposes: university preparation, community college preparation, entry into apprenticeship programs or entry directly into the workforce. That's what we've been driving at in the education system for a while now, and all of a sudden OTAB comes along and says it's going to be working on training programs, and the linkage from the schools isn't really strongly stressed in the proposed bill. What's the meaning of that or the implication of that?

Some people can take it to mean that the schools are only responsible for the basic education, and that when school's finished, the kids move on to the next part of the system or to different organizations, whereas we're proposing that from the community's point of view, from the kids' point of view, it should just be one normal stream, like there's a natural progression from the classroom into whatever programs or training areas are needed to make them productive members of society.

Mr Offer: It's interesting that you bring up that point, because we have heard in this committee from the private providers of training service. They are looking at the following, paragraph 16, and are sharing a concern that it looks like the move is away from the private training providers to the public education system. I'm wondering if when you read paragraph 16, it provides some comfort to your concern.

My second part to the question is whether there should be, in your opinion, a paramountcy of one education-training system to another. I'm talking about public or private. In your opinion, can both work together without, in the words of this paragraph—it is creating a perception of something being favoured over another, and whether both can both operate in this province on an equal footing.

Mr McCarthy: I believe that the LINC program has demonstrated both can work very, very well. What we believe, though, and it's very much a reality, is that the program and policies and directions that occur in the school system—look at the secondary schools. We're talking about 14- to 18- to 21-year-olds. That is to a large extent controlled by the Ministry of Education. Granted, within OSIS individual schools can design programs which meet the needs of communities, and if we think of some of the smaller communities in the province, the high schools have tailored courses of study which would satisfy some of the major companies within that area.

We believe as well, though, that there's a lot of benefit to the OTAB concept, but if we really want to make it work, training can't start after the students leave school; it has to be part of. So it's that consultative, collaborative partnership that

is critical and we believe that for it to have any meat there has to be some kind of oomph behind it, and that has to come from the Ministry of Education to a very large extent.

The Chair: I want to express the committee's gratitude to the York Region Roman Catholic Separate School Board for its participation in this hearing. Mr Ryan, Mr McCarthy and Ms Nicolson-Morrison, we are grateful to you and your board for taking the time to express your views. You've made a valuable contribution, an important one to this process, and we trust that you'll keep in touch with us as you follow the legislation through committee and then back into the Legislature. Thank you kindly. Have a safe trip back home. Ms Nicolson-Morrison, please say hello to Donna and Craig. Take care, people.

TORONTO SCHOOL OF BUSINESS,
MISSISSAUGA CAMPUS

The Chair: The next participant is the Toronto School of Business, Mississauga campus, if they'd please come forward, have a seat and tell us their names, their titles or positions if they wish. We've got your written materials, including the statement by Mr Ebedes, who spoke with this committee already.

Mr Philip Watkins: Yes, he has, Mr Chairman. My name is Philip Watkins. I have with me John Milborrow, who is our director of corporate development, and Miss Jane Whitman, who is our vice-principal of the Mississauga campus. I am the principal of that campus.

The Chair: Welcome.

Mr Watkins: We felt it would be necessary for us to come today, not to really go over what Mr Ebedes has already presented, not to discuss our entire package that we've delivered, and everybody can go, due to the lateness of the evening.

The Mississauga campus represents the largest campus in the Toronto School of Business family. There are 32 locations across Canada and we represent the largest. We wanted to come forth and just make a short presentation here today and address some of the concerns that we have in our own area. With no further ado, I'll go through my presentation.

Mr Ebedes and ourselves, the Toronto School of Business, believe that the new Ontario Training and Adjustment Board, complemented by the network of strong, locally responsive training boards, can be a successful catalyst in the formation of skills and attributes necessary for the residents of Ontario to participate in a rapidly changing, knowledge-based workforce.

We have expressed some areas of concern, and the first one that we have a concern with is access. We think that the employees and potential employees have a responsibility to seek out and obtain education and skills which will help them obtain and/or retain meaningful employment. We go on to suggest that formal associations are important, whether they be labour-, business- or equity-based groups, but they don't necessarily represent or serve all of the constituents.

Therefore, we respectfully submit that the success of the OTAB initiative will be dependent on the individual belief in the benefits of both academic and skills upgrading fostered in an easily accessible, accommodating environment based on a partnership with all the parties involved. I would suggest that's probably nothing new that the committee has heard.

1730

Representation: Again, we believe the success of the training initiatives will only happen if the system is client-driven. Therefore, we respectfully submit that all the stakeholders have representation both at the OTAB and the LTAB levels. The Toronto School of Business submitted a brief yesterday, and this is from Mr Ebedes, that outlined a suggested format of the OTAB board, and we would concur with that listing or suggestion, along with all his others.

The Chair: You agree entirely with what Mr Ebedes had to say.

Mr Watkins: Absolutely.

The Chair: You don't contradict or disagree with anything that he—it's interesting. Go ahead, sir.

Mr Watkins: The delivery: We believe that the relationship of the local boards and the Ontario Training and Adjustment Board should be reciprocal. OTAB should provide a broad policy and accountability framework to the local boards and be a source of labour market information, existing services and provincial economic and social policy. On the other hand, the local board should communicate to the training board, OTAB, the needs of its local community.

The local board should have the responsibility of funding initiatives that are not only efficient and economical but also effective in meeting the training needs of the individuals, firms and the communities that it serves. All stakeholders, whether public, community-based or private, should be given an equal opportunity to provide the services.

One of the things that I think is necessary is accountability. Some system of accountability must be developed to ensure that funding is directed in an effective manner. This system must be universal in the sense that the success of all participants responsible for the delivery of the training needs will be measured using the same criteria. I think that's been one of the private sector's biggest concerns in the past, that we're not always measured using the same criteria.

If you don't mind, I'll move on to some history of the Mississauga campus. The Mississauga campus of the Toronto School of Business currently provides education and training to some 650 full-time and part-time adult students. Because our courses generally run for six to seven months, we're looking at training approximately 1,500 to 2,000 adult clients each year. We have been providing quality education in the community since 1983 and we believe our growth is, and will continue to be, a recognition that both the needs of the students and local industry are being met with the type and quality of training provided by our school.

The majority of our student body, being in Mississauga which is multicultural, is made up of women and includes a significant number of sole-support parents, visible minorities, new immigrants, mature students and men and women who need retraining as a result of being laid off because of the recession.

Our basic objective is to provide skills that will enable the graduate student to find employment in his or her chosen vocation at an introductory or intermediate level, depending on the size and complexity of a particular organization. I bring that up primarily because we're not in the business of competing with the university level. We are not attempting to

train people to become presidents of General Motors and so on. If they're able to do that, that's wonderful, but we're trying to provide them with an opportunity to better their lifestyle and get into jobs and employment where there's more enjoyment, a better quality of life.

The school has experience working with various levels of government and government agencies including Employment and Immigration Canada, the Ontario Ministry of Labour, primarily through the Transitions program, and the Workers' Compensation Board. At Mississauga, we provide English and mathematics upgrading and English as a second language in addition to the vocational skills. I believe we're the only campus doing that.

There are many misconceptions with respect to the private vocational schools as providing an inferior level of education and training to that being provided by the public sector. The private vocational schools within the Mississauga area provide training for thousands of students annually. The courses offered run from six months to approximately one year. The courses must be viewed in the context of number of classroom hours to complete the program.

You will find that the major difference is not in the quality or the quantity of education received; the delivery system employed by private vocational schools differs significantly from that of the public sector. As our courses can be completed in a relatively short period of time, they enable the student to enter the workplace at a much earlier stage in his or her working career.

This is a most attractive advantage to an individual who currently is unemployed or being retrained to pursue alternative career goals. It has the additional advantage of taking students away from the various publicly funded social assistance programs at an earlier time. We have a number of students who are on the welfare system, on the family allowance system, who wish to be retrained, and they come in and they receive six months to 12 months of training and in fact go out and no longer need that assistance from those programs.

I think if you investigate you will find that the classes at the private schools are much smaller than those in the public system. We have found over the years that these small class sizes assist the student significantly in obtaining the successful completion of their programs. Statistically, I believe you'll find that the entry into the workforce of the private school graduates is proportionately higher than that from other educational programs.

Private vocational schools have been in existence for over 100 years and they contribute not only by meeting the community's training needs but by making a substantial contribution to the local economies in which they are located by paying taxes at the local, provincial and federal levels, by providing employment to administrative and teaching staff and by purchasing equipment and supplies from a variety of secondary industries.

The exclusion of private schools from new training initiatives will severely affect the opportunities given to potential users of such training and will create a demand on the public system that it will be unable to meet. What I'm trying to say there is, our students, if they're not allowed to participate at our level, will be shifted to the public system and that will mean thousands more students who would otherwise not have

entered the public system. In line with a comprehensive auditing model where governments seek programs where economy and efficiency are measured against effectiveness, I believe the private vocational schools have an enviable record.

As a private vocational school, the Toronto School of Business urges you to assist us in obtaining representation on the local boards. Only when all parties are involved in the process of training can one objectively assess the needs of our community. Only then will we all be happy that a true partnership exists for the benefit of the user, the community and the province of Ontario.

Mr Wood: First of all, thank you for your presentation. You've got quite a size package and a lot of information in there. What would you see the educators' and trainers' role in OTAB as?

Mr Watkins: In the public system, the high school system, I have a firm belief that they should in fact be educators. One of the significant problems I believe we have in education is the dropout rate. The dropout rate from the high school system is between 20% and 30% and would indicate to me that the public system isn't meeting the needs of those students.

If the students are dropping out at a grade 10 level, where can they go in the public system? To go into the community college system they require a minimum of grade 12. Sure, they can go in as a mature student if they work for five or six or 10 years, whatever the case may be, but academically they're not being prepared, because the high school system will begin to direct them to training rather than educating.

1740

I have a problem on a personal level, as well as being an educator myself at that level, with the shift in public education. We're asking 13- and 14-year-olds to make decisions on what they want to do when they grow up, and I think it's too early a stage to be directing them to training at that level. The community colleges, the schools like ourselves, the private trainers and the universities are the experts in training adults, and I think that's the job that should be left for us to do, to get back to a broad-based education in the high school system.

Mr Wood: For example, you feel the schools and the school boards could be involved with industry to train people who have been in the workforce for a short period of time?

Mr Watkins: Yes. I think it has to be a partnership with everybody involved. We can all meet the needs of a certain clientele. But again, I strongly believe the focus for the high school education system should be to get people literate in English, math and sciences so they can make choices after their high school education as to where they want to go.

Mr Offer: Thank you for your presentation. My question really revolves around the last few pages of your presentation. You speak about misconceptions in the area of private vocational schools as providing an inferior level of education and training from that being provided by the public sector. I believe this is the first time I have heard there is this misconception, this feeling that the private sector provides an inferior form of training than the public sector.

First, I would like to ask you why you bring forward this issue. The second question I would ask is, the whole concern seems to be premised on the fact that you believe a reading of the legislation will in the end result exclude private deliverers

of training service. I'm wondering if you can tell me where it is you see that and what should be done.

Mr Watkins: Certainly, in Mississauga, with our own experience, the public awarding of training has never gone to the private sector. It has always been awarded to the public sector. Up until today, we are told that our school is unacceptable to deliver the training, and this is coming from government representatives. When you talk to various people at the government level, that is the perception they relay to some of the clients we are currently serving. If the client is an aggressive individual, it doesn't happen. If the client is not aggressive, then he is directed and persuaded to go to the public system. That would indicate to me that there is this thought that the public system offers a better level of education.

Mr Offer: I'd like to get more information on the point you've just brought forward. That's a major concern.

Mr Watkins: Okay. It is well documented at our location.

Again, I have a fear from the initial information in response to OTAB that the position of some of the groups was to exclude the private sector entirely. I'm not certain that is as valid as it was from the onset; I just raise it again to ensure that it's still in everybody's mind that private trainers do have a part to play.

Mr Carr: Thank you for your presentation. I think you said that right now you don't get any training dollars whatsoever, either federal or any money that's out there now.

Mr Watkins: We have not been awarded training dollars from any agency for the past three years.

Mr Carr: For three years.

Mr Watkins: We have clients coming to us saying that they have just gone to an agency and the agency has indicated that they cannot attend our school.

Mr Carr: Prior to that, three years ago, were a large percentage of your students under any type of government assistance through that? It would have been small.

Mr Watkins: We have students assisted through Transitions, Ministry of Skills Development, and we have a substantial number of students through the Workers' Compensation Board. It is other government programs where we seem to be excluded.

Mr Carr: On some programs they say you're okay and on other ones you're not. I was just trying to understand because I believe this government will try to push you out. Maybe you could tell me what percentage of the other portion, whether it's WCB or Transitions, would be through government. Is it very high or is it fairly low?

Mr Watkins: The Workers' Compensation Board is significant to the Mississauga location.

Mr Carr: On that point, not to go off on that topic, what are you hearing from the government with regard to that? Are you going to continue to play a role in that area?

Mr Watkins: We hope so. We have not heard that we would not otherwise play a significant role.

Mr Carr: Maybe I shouldn't have mentioned it. Back on another point, what percentage of your students come out that get jobs within a reasonable amount of time? I don't know what period you use, but a lot of the colleges came in and

gave us statistics saying 80% are placed and so on. Do you have any statistics on that?

Mr Watkins: Again, it's contingent on the program. There are some programs, the executive or the secretarial programs, that are close to 90%. Our dental program is 90% plus. The other programs, the generic programs, accounting, business and computer applications, have been affected by the recession. I would suggest at this time that they have fallen to about a 70% placement rate. At one time, it was 95% across the board.

Mr Carr: I know the government is saying that this is a job creation piece of legislation. It seems to me that if you're getting a 90% rating and people are coming to you through some of these programs and all they want is a job, they'll say, "I'll do anything, I'd like to learn this trade, but just let me know what it is," and if you're getting 90%, the government might want to take a look at using you to get the jobs.

Mr Watkins: In some of the programs, and I look at our dental assisting program, it's 90%.

Mr Carr: The thing about this too is that these are the high-skilled jobs that people are saying pay well; when you come out, they pay reasonably well. You weren't here, but one of the chaps who came in from Kent county from one of the unions, said, "All I want is for my people to have jobs." That's what everybody wants, and I hope the government is listening.

When you look at, for example, dental assistant—perfect job, well respected—you come out with 90% of the jobs and yet the government won't give you the money to do that. Let me ask you this: What happened along the way so that the government cut you off? What do you see is the problem?

Mr Watkins: I don't know. We've never got an answer back as to why our proposals were rejected. We send the proposal, and the proposal comes back, "You were not selected." That's as far as it goes. We don't have any definitive response as to, you know, this was incorrect or that was incorrect. We have had some concerns over the last little while. We are still the largest school in the Toronto School of Business system. We have 650 students currently attending. But to get to that point, we made a major investment. We want that continued. We want to continue to operate and be partners in the OTAB and government contracts.

Mr Carr: If it's any consolation, I think with a success ratio like that, if you're producing people like that, regardless of whether you get government money, which I don't believe you will, you're still going to be successful, because people are going to still want to go there. As you know, word of mouth spreads and people realize that, so I think you will be successful. Whether it'll be as successful as it can be, I don't know.

Mr Watkins: Yes. I think we do have a good reputation in Mississauga. In fact I'm assured of it. Our school is getting known and we're becoming often a school of choice rather than a school of last resort, because I think the private schools were considered schools of last resort at one time.

Mr Carr: Except now you're the ones producing a lot of the jobs.

Mr Watkins: I come back and one of the problems perhaps in the private industry is that there are some bad players in that industry. They have to be identified and weeded out. Some of the fears from the government have been from experience of bad players, and it's a broad-brush approach.

Mr Carr: I know. Thank you.

The Chair: The committee thanks you, Mr Watkins, Mr Milborrow and Ms Whitman, for your participation in this process this afternoon. You, on behalf of the Toronto School of Business, Mississauga campus, have expressed some unique insights into this legislation. We trust you'll be keeping track of it as it flows through this committee system and back into the Legislature. We invite you to keep in touch with members of the committee. We thank you sincerely and express our gratitude for your being here this afternoon.

Mr Offer: I have just two points I'd like to bring up at the end of this week, once more to reiterate a question I had asked ministry staff. I see they're shaking their heads in the affirmative, acknowledging that question. Hopefully, I will receive a response as quickly as possible.

The second is if we could get information as to the number of training programs now provided by the government and from what ministries they emanate.

The Chair: Thank you. Research and, I trust, ministry staff will inquire into that and cooperate, collaborate or do whatever has to be done to come up with an answer.

This being the end of the week, I want to indicate to people that it's not, by any stretch of the imagination, just the members of the Legislative Assembly who make this committee successful. As a matter of fact, the people who work really hard are people like the Hansard people, Beth Grahame, who's here with us now, Deborah Caruso and Pat Girouard, who served us during the course of the week; the broadcast people, Dimitrios John Petselis, Clay Hatfield, Greg Didiano; research, Anne Anderson.

All of these people, staff of the Legislative Assembly, work hard and have worked hard during this past week and we are particularly grateful to them and, especially today, interpreters Angi Tippitt and Diane Huff for their assistance over the course of the week. Ms Huff especially has demonstrated diligence with good humour and good nature. We thank her, but I've also asked the clerk to write to the agency she hires through to indicate to it our extreme pleasure at Ms Huff's performance, competence, diligence and hard work here today. I thank the members of the committee for their cooperation with me and their patience.

We will be meeting in room 151, the Amethyst Room, next week. We are adjourned until 2 pm. We're in room 151, Amethyst Room, Monday. Thank you kindly, people.

The committee adjourned at 1754.

Substitutions present / Membres remplaçants présents:

Carr, Gary (Oakville South/-Sud PC) for Mr Turnbull
Daigeler, Hans (Nepean L) for Mr McGuinty
Martin, Tony (Sault Ste Marie ND) for Mr Waters
Ramsay, David (Timiskaming L) for Mr Conway
Sutherland, Kimble (Oxford ND) for Mr Dadamo
Swarbrick, Anne (Scarborough West/-Ouest ND) for Ms Murdock
Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND) for Mr Klopp
Witmer, Elizabeth (Waterloo North/-Nord PC) for Mr Jordan

Also taking part / Autres participants et participantes:

Drainville, Dennis (Victoria-Haliburton ND)
Hayes, Pat (Essex-Kent ND)

Clerk / Greffière: Manikel, Tannis

Staff / Personnel: Anderson, Anne, research officer, Legislative Research Service

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STANDING COMMITTEE ON RESOURCES DEVELOPMENT

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***Vice-Chair / Vice-Président:** Huget, Bob (Sarnia ND)

Conway, Sean G. (Renfrew North/-Nord L)

Dadamo, George (Windsor-Sandwich ND)

Jordan, Leo (Lanark-Renfrew PC)

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McGuinty, Dalton (Ottawa South/-Sud L)

Murdock, Sharon (Sudbury ND)

***Offer, Steven** (Mississauga North/-Nord L)

Turnbull, David (York Mills PC)

Waters, Daniel (Muskoka-Georgian Bay ND)

***Wood, Len** (Cochrane North/-Nord ND)

***In attendance / présents**

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Second Intercession, 35th Parliament

Official Report of Debates (Hansard)

Tuesday 26 January 1993

Standing committee on resources development

Ontario Training and Adjustment
Board Act, 1993

Assemblée législative de l'Ontario

Deuxième intercession, 35^e législature

Journal des débats (Hansard)

Mardi 26 janvier 1993

Comité permanent du développement des ressources

Loi de 1993 sur le Conseil
ontarien de formation et
d'adaptation de la main-d'oeuvre

Chair: Peter Kormos
Clerk: Tannis Manikel

Président : Peter Kormos
Greffière : Tannis Manikel

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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Tuesday 26 January 1993

The committee met at 1001 in room 151.

ONTARIO TRAINING AND ADJUSTMENT
BOARD ACT, 1993

LOI DE 1993 SUR LE CONSEIL ONTARIEN
DE FORMATION ET D'ADAPTATION
DE LA MAIN-D'OEUVRE

Consideration of Bill 96, An Act to establish the Ontario Training and Adjustment Board / Loi créant le Conseil ontarien de formation et d'adaptation de la main-d'oeuvre.

HAMILTON AND DISTRICT
CHAMBER OF COMMERCE

The Chair (Mr Peter Kormos): It's 10 am. The first participant this morning is the Hamilton and District Chamber of Commerce. Would those people please be seated and tell us their names and positions, if they wish.

I want people to note that this is being televised in both the English and French languages, with great thanks to the interpreters who have worked hard during the course of these. The committee will be sitting from 10 until noon today and then begin again at 2 o'clock, sitting until 5:30.

Gentlemen, please tell us your names and positions and proceed with your comments. You've got 30 minutes. Please try to save the second 15 minutes at least for questions and dialogue with members of the committee. That's a very important part of the process.

I invite people to partake of coffee and other beverages that are here, not just for committee members by any stretch of the imagination but also members of the public who might be visiting.

Go ahead, please.

Mr Bill Filer: Thank you very much, Mr Chairman. My name is Bill Filer. I'm the president of the Hamilton and District Chamber of Commerce. With me today is Lee Kirkby, the executive director of our chamber. We will be making an abbreviated presentation from the one that we have published in order to save time and address the highlight issues of our presentation.

We thank you for the opportunity to appear before the committee to voice our concerns on behalf of our 800 member companies, with their 50,000 employees, regarding the formation of the Ontario Training and Adjustment Board and the restructuring of training as we know it in Ontario. This submission is the result of hours of research by our committees and staff.

As the time is limited, we urge you to review in detail the brief we are submitting to you today, which outlines in a constructive way 28 recommendations which may help in addressing the issues before your committee.

While primarily dealing with the OTAB legislation, our document also deals with proposals as they relate to local boards and the federal interface in training, as all these three issues cannot be separated when looked at from an

employer's perspective as well as from the viewpoint of the local community. Therefore, while recognizing that this committee is focusing on the specifics of the bill, we are making our comments in the general context so that all three areas can be linked together in your review.

In my comments, I will attempt to highlight a few key principles which, in our opinion, must underlie the framework to be established under Bill 96.

Access to training and training dollars for all individual workers, employee groups, private sector employers and trainers must be fair, equitable and streamlined. All workers, whether they be union or non-union, all employee groups, whether they be affiliated with a business organization or not, all employers, whether affiliated with a business organization or not, and all trainers, whether in the public or private field, must be included in the OTAB local board process.

Access to the training dollars for fair and appropriate manner of distribution of programs and services, as outlined in section 18(c) of the bill, must include parameters set out in the regulations so that local boards have some sense of fairness in access to the programs created under the OTAB mandate.

Representation on any policymaking organizational structure must be fair and equitable and must be seen to represent the proportionate constituency of each group within the province and within the local geographic area. This means that representation from small and large business, workers from both unionized and non-unionized environments, partners in training from both the public and private sector and special interest groups and other designated stakeholders must be proportionately reflective of their constituencies in the province and in the local communities.

Individuals chosen to serve in any reorganized structure should have a record of prior participation in training development—I repeat, a record of prior participation in training development—and be committed to representing the interests of the community as a whole. Terms of office should be modified to incorporate annual performance review processes and allow for a process of recall.

The appointment of co-chairs of OTAB should come from the eight representatives of the major labour partners—that is, business and labour—as chosen by their constituents, rather than be separate appointments made by government.

Quorum and decision-making procedures should be made up of an overall majority of members as well as a double majority from the two major labour market partners, business and labour, for all decisions not reached by consensus of the board.

Our members wish to acknowledge the efforts of the government in trying to ensure that a broader representation is reflected in the new structure. However, we feel that business leadership in job, skill and wealth creation in Ontario should be acknowledged by the government. I want to repeat that: Business leadership in job, skill and wealth creation in

Ontario should be acknowledged by government and our labour partners to a greater degree than is currently reflected in the new structure as proposed.

Local boards should have the ultimate decision-making power to control when, where and what training should occur in their communities. We are concerned that in the present wording of the bill the OTAB provincial board would retain all of the mandate for directing training and therefore may not be as responsive to local needs as a structure which puts that responsibility to the local level.

Special initiatives in training already developed by local communities must be incorporated into any restructured activities so that communities that are advanced in training models will not lose their initiative.

We are disappointed to note in the documentation accompanying the draft bill that no real cost savings will be realized in the restructuring plans, and that the total expected dollars applied to training in Ontario amounts to between \$400 million and \$500 million. Surely some savings in merging ministries and decreasing duplicative services would make the program realize some savings—in our view, in the order of 10% to 12% of administrative costs as an objective.

Minimum criteria for training should be set provincially to ensure portability of skills across the province, and coordination of delivery provincially should be emphasized to ensure efficient use of training dollars and facilities. However, local boards should have the ultimate responsibility for that delivery in the most efficient way possible.

A system must result that encourages, measures and rewards innovation, efficiency and effectiveness. Outputs from the system, not inputs or process, would be the measure of success for Ontario's new labour force development system.

In conclusion, we wish to commend to this committee the significance of the opportunity which is available to our government and our labour market partners to build on the momentum which has been developing with regard to this restructuring.

1010

In our document we have articulated 10 commandments of training which I would like to leave with you:

(1) Recognition that lifelong learning is a personal responsibility, primarily individual in nature, and the proper role of the community and government is to be supportive of the individual's endeavours through policy and framework initiatives.

(2) Representation on any policymaking organizational structure must be fair and equitable and represent the proportionate constituency of each group within the province and within the local geographic area.

(3) Access to training dollars for appropriate training for the individual worker, employee groups, the employer and the trainer must be fair, equitable and streamlined.

(4) Accountability to those being served by any organizational structure must be ensured so that tax dollars spent on training are spent on a results-oriented basis and not allocated for more bureaucracy. Innovation must be fostered.

(5) Special initiatives in training already developed by local communities must be incorporated into any restructuring activities so that communities that are advanced in training models will not lose those initiatives.

(6) Focus on training initiatives must reflect society's reliance on wealth creation and affordability for training both offshoots of competitiveness, rather than training for training's sake or as a means to provide income support to individuals.

(7) Local boards should have the ultimate decision-making power to control when, where and what training would occur in their communities.

(8) Minimum criteria of training should be set up provincially to ensure portability of skills across the province, and general coordination of delivery provincially should be emphasized to ensure efficient use of training dollars and facilities.

(9) Individuals chosen to serve on any reorganized structure should have a record of prior participation in training development and be committed to representing the interests of the community as a whole.

(10) A spirit of cooperation in the training field between business, labour, government and the education communities must be fostered for the benefit of Ontario. Restructuring for restructuring's sake will be counterproductive.

Our common goal must be one that provides Ontario with a competent, flexible workforce working at meaningful jobs that enable Ontario to compete better in global markets.

Madam Chairman, this is the summary of the submission which the Hamilton and District Chamber of Commerce wishes to make. Mr Kirkby and I will be pleased to entertain questions.

The Acting Chair (Ms Sharon Murdock): Thank you very much. I think we're beginning with the Liberals. We have about four and a half, five minutes for each caucus.

Mr Steven Offer (Mississauga North): Thank you for your presentation. You certainly bring forward a number of areas that really do demand further investigation.

In the time permitted, I want to just home in on your 10 commandments of training. I don't know that I'll get through all of them but I want to start with the 10th, which talks about education communities. We have heard some real concern that the styling of the legislation by the government could potentially exclude the private education services; that there is, through the objects of the legislation, a priority given to publicly funded education systems. I'm wondering, from your experience, whether this type of legislation really should exclude the private education facilities or, at very best, set a priority on public systems.

Mr Filer: I'll start off with a comment and I'll ask Lee Kirkby to follow up.

My sense is that it would be improper to limit the methods of delivery of a refined or redefined educational system, and to that extent I would think that it would be unwise to exclude a major area of education in the province involved with this whole restructuring.

Lee, do you have a comment that you'd like to add to that?

Mr Lee Kirkby: Yes, I wouldn't mind going a little further in that. I think it's absolutely critical that we use every resource we have available. To be building legislation that suggests that there should be a priority given to one sectoral group within the society—and that's exactly what public education is; it's a sectoral group with a special interest—we need to recognize that we can't put our resources into one hat.

There are times—and I've been involved in this field for some six years—that the private sector trainers can be far more responsive. They can respond much more quickly and much more efficiently than the public sector. There are times when the public sector is the appropriate body, and we need to have the ability, especially at the local level, to be able to access both. So there should not be any restrictions. Certainly our submission all along has been that there should not be a priority in the bill, and we would suggest it should be removed.

Mr Offer: I think there are a lot of people who would agree with you and with your past comments on this matter, and hopefully the legislation will be changed in order to reflect the concerns brought forward by yourself on that issue.

I would like to explore this issue of accountability, the fourth commandment. It's one which I don't know has really been discussed as fully as it might have been earlier in the opening week, but I believe there is a growing concern that the legislation does not have that thread of accountability from the training boards, whether they be the overriding board or the local boards and government. I'm wondering if you might want to expand a little bit on the need for accountability between training and government.

Mr Filer: My first response to that is that in times of restricted funding and more intelligent use of funding, I think that accountability is absolutely essential. I wouldn't suggest that it has not been present in government programs or in the way in which government has thought about spending funds, but I think the reality is that the time has now come when the taxpayer is going to ask—expect and demand, probably—accountability in whatever funds are spent, and this goes to the whole education system, among other things.

Mr Offer: I think that there is concern about accountability because they see some examples that are now taking place in the Workers' Compensation Board and a lack of accountability, and they do not want that type of concern and problem to be created with this new board; that there is a necessity for accountability and that it is government's role and responsibility for the taxpayers' dollars, which leads me to my third question: training dollars for appropriate training.

There has been some talk that there is this thing or animal out there called an employer's training levy and that this might be the way in which dollars for training will be created. Could I get your thoughts on that?

Mr Filer: I'd like Lee to answer that, if I may.

Mr Kirkby: I guess the simple answer is—and in the detailed submission we reference the rumour; in fact, we quote the minister. It was in Hamilton that the minister bluntly stated, in response to a question I asked him last May as to whether a training tax on employers was being anticipated as part of the OTAB process, that it is not the government's intention to levy such a tax; that that is not the purpose of the OTAB process.

Frankly, if employers are the only groups that are expected to pay, it completely breaks down the whole concept of what OTAB is based on, which is a cooperative partnership of all players who benefit. If we're going to talk about paying for this, then I think all players pay.

We are very concerned about the potential of a non-accountable board, independent of any input from outside parties,

similar to what has happened in the health and safety agency, being able to make a recommendation, without consultation with the labour market partners, to the government that a tax is the appropriate way to pay for training within the province, and that employers who are already actively involved in training therefore lose control of the training dollars they may be already spending.

We think that's one of the most insidious problems within this bill and that the regulations should prohibit the opportunity of that kind of recommendation being made, in the regulations, so that the board does not have the power to make recommendation on specific funding options. Those are options for the government to determine, which could be dealt with through the political process.

1020

Mrs Elizabeth Witmer (Waterloo North): Thank you very much for an excellent presentation. I very much appreciate the recommendations you have put into the presentation. It certainly will help all three parties as they try to come up with amendments to the bill.

We are hearing from individuals that there's a tremendous amount of concern regarding this bill. The bill appears to be somewhat different from its original purpose. The original purpose was to create a more knowledgeable, highly skilled and adaptable private sector workforce. Do you share the concern that this bill seems to be going in a slightly different direction?

Mr Kirkby: I think you capture very well many of the concerns that we have repeatedly expressed since the first discussions began. For me, the first discussions began on this issue some four and a half years ago, when the first position paper was presented to the Premier's Council. We felt it was a flawed concept at that point. We think it's even more flawed in the manner in which it's been presented. What it does is it tries to impose cooperation through a decision that was made that a form of representation would create the cooperation that has to come through attitude change. We think it's fundamental to the way the bill is done. That does not mean that if the bill is enacted, we won't attempt to try to work with it, because that would be completely counterproductive. We think that as it is presented now, it has created many of its own problems.

Mrs Witmer: I guess that's what we're hearing, that it certainly does need major surgery. I would agree with you: I think the changes are going to come about because of attitude change. That's absolutely critical.

We're also hearing, I think from almost every presenter, no matter who they represent, about the huge bureaucracy that's going to be created and what they perceive to be a lack of local autonomy and the ability to make decisions that would really respond to the local needs. I guess I would like to hear from you what concerns you have. Also, what have you been doing locally? I know most communities already have groups set up. As you've indicated here, they need to be incorporated into the restructuring activities.

Mr Kirkby: Hamilton, as a community, has a reputation in this field that goes across the country. Some 20 years ago, our chamber helped form the first CITC in the province and the first CITC in Canada. That CITC has gone through three

rejuvenations and is now—in fact, recently a presentation was made to the Premier's Council on the work of tranSKILLS, which will disappear under this bill. In the last two and a half years, our community has gone backwards in this field, because everybody has been worrying about the new structure and the new format, without any understanding of what the accomplishments are supposed to be. We haven't been progressing; we've been slipping.

One of the real strengths in our community of the work that has been done has been the volunteer commitment. It's very, very small paid staff working with large legions of volunteers in a cooperative way that has gotten things to happen in our community. We don't think this bill creates that. We see a whole bunch of centralized bureaucracies that are going to tell us what we will do in our community, and we fundamentally disagree with that.

Mrs Dianne Cunningham (London North): Following through on that, last week the Ontario Federation of Labour was making a presentation before the committee. With regard to the local training councils, they said that they hadn't been actively involved and that they hadn't had the opportunity. I'd like you to respond to that and talk about maybe how things could be improved if in fact that's the case.

Mr Kirkby: As a person who is a past chairman of one of those local training councils, who has been involved for over six years in the field and helped set up the bylaws of that local training council, I can tell you that the olive leaf was out all the time. We have constantly sought input. It was chosen not to be provided. It was not because they were rejected from the group; it's because they chose not to come to the table. There were certain parameters that were placed upon that: "If you come to the table, you're there to participate, not to throw stones." That was the only parameter that was placed. We have been able to bring groups without any problem.

Mr Kimble Sutherland (Oxford): I should tell you that I don't agree with some of the assertions that have been made by a couple of the previous questioners that everyone has said that this process needs major surgery or that it's not going to work. We've stated many times, every time the opposition asked a question about local boards, that the legislation cannot have the local boards in it because that has to be negotiated with the Canadian Labour Force Development Board and the federal government, and OTAB is to be one of the partners. It has to be established first before that does that.

I also want to say that if you look at the legislation, it recognizes both the role of private trainers and public trainers. If you look at objects 15 and 16, not in isolation but together, you will see clearly that there is a role for both.

You mentioned that on the local boards or in the development of this, only people with experience in training should be the ones who are sitting on the boards. One of the mandates of OTAB, of course, is to help develop a very positive training culture throughout the province and encourage more training to go on. I'm just wondering how you would reconcile those two issues in terms of OTAB trying to promote training but saying only those who are already doing it—shouldn't there be room to bring in those who aren't doing it to make them aware of what the benefits of developing a positive training culture are?

Mr Filer: I'd like to respond to that first, and then probably Lee will have some comments. I suggest to you that the emphasis is probably what is crucial here. I guess we're issuing a note of warning that there is a pool of knowledge and resources available. I don't think our submission necessarily suggests that new people not be brought on board. Life is an evolving process and it would be rather silly to suggest that only the people who have had training experience—the key element in our reading of what we have seen in the draft bill is simply that we don't believe there's enough emphasis to recognize the contribution, that people who have training experience can be used and ought to be used initially.

Obviously, we're going to have second-generation people who need to be trained to follow through. I guess our concern is that all the good work that has been done ought not to be overlooked and cast aside just because a new structure is being set up.

Mr Kirkby: I think Bill has covered it.

Mr Gary Wilson (Kingston and The Islands): Thank you for your presentation. I'd like to highlight one aspect of it, what might be called a nuance, especially for the purposes of the opposition members who, as you've already heard, have missed some of the things in previous presentations, and one of these is what they call the employment levy or what's also been called a training tax. I really appreciate your putting that one to rest, and we hope that will make an impression.

The other, as my colleague has mentioned, is the idea that private trainers would be cut out, because the objects of OTAB clearly state that the full panoply of services available in the community are going to be used for training. Presenter after presenter has made the point that no single agency can meet all the needs in the training community.

The point I want to pick up on is this idea of cooperation. You suggest that there is room for cooperation or some hope down the way for cooperation among the labour market partners. I'd like you to elaborate on that, what you see as being the signs that it's there and perhaps the necessity of it as well.

Mr Filer: I think that it's foolhardy to suggest that a partnership would not exist. There have been major moves, within the labour movement in particular, in the last number of months as a result of severe economic conditions which have proven to all that cooperation is the only way to survive, for both sides, labour and business.

What's happened in the past, in my view, has been regrettable, but nevertheless what we've told you is factual, and in fact the kind of cooperation that we had hoped for had not been forthcoming. I have initiated talks in Hamilton this year between the chamber and the Hamilton and District Labour Council for the very first time. There are moves being taken which I think are very positive. I think there is some enlightenment on both sides, knowing that we can't live in isolation, and I think that's the spirit in which we are discussing this.

Mr Kirkby: I agree with Bill. I think it can happen. I think we've seen instances where it's happened. But I think we also have to be very aware of the dangers, and when you build up representative structures which by their nature presuppose that certain sectors of society will not be permitted to

participate in those representative structures, you create the potential of exacerbating the problem.

1030

The Chair: I want to say thank you to the Hamilton and District Chamber of Commerce and to both of you gentlemen, Mr Kirkby and Mr Filer, for your interest in this matter and for your insightful presentation. Your views are valuable to this committee's process. I trust that you'll be following the course of this legislation as it goes through committee and then back into the Legislature. We welcome any further views and we thank you for coming to Toronto this morning.

The next participant is the United Steelworkers of America. As their spokespeople are sitting themselves, I want to indicate that yesterday this committee had originally been scheduled to hear a number of presentations in the afternoon. This committee's activity, along with all the activity in this Legislature, was cancelled out of respect for our dear and close and respected colleague Margery Ward, who passed away last Friday.

She was elected to the Legislature in 1990 and very quickly established herself as one of the strong and effective members of this Legislative Assembly. She was a youthful, bright, hardworking and extremely capable member, not only of the community but of this assembly. We certainly miss her. We experience some of the loss and grief and we share that, certainly and clearly, with her family, her brother and sisters, her parents, her many nieces and nephews.

She was a hardworking, passionate, committed person who was driven by her search for social justice. She had a long-standing career in the trade union movement, and was just an extremely effective, warm, bright, witty, hardworking person. All of us in this committee express our sympathies to her family and to her friends and to her community, which will sorely miss her. God bless her. She died much too young, before she had a chance to finish what she intended to do, but at the same time, she achieved far more in 50 years than many people do in twice that time. We are grateful for the time we were able to spend with her.

These are public hearings. The public is entitled to participate. We're at Queen's Park, in the Amethyst Room. As well, the auto insurance hearings are taking place down the hall, in committee room 1. Those are equally interesting. We invite people to attend at Queen's Park as members of the public to observe these hearings or the auto insurance hearings in committee room 1. Those people will be more than welcome.

UNITED STEELWORKERS OF AMERICA

The Chair: The next participant is the United Steelworkers of America. Sir, please tell us your name, your position and proceed with your comments. Please try to save the last 15 minutes for questions and dialogue with the committee.

Mr Henry Hynd: Good morning, Mr Chairman. My name is Henry Hynd. I'm the director of District 6, which is essentially Ontario. In the Steelworkers we have some 75,000 women and men who work throughout a variety of industries. We have people who work in basic steel mills and mines, in grocery stores, security guards, in hotels, in nursing homes, in old-age health care homes. We represent a wide variety of men and women in Ontario.

The Steelworkers union has very strongly supported the establishment of OTAB and we continue to do so. While we may have minor concerns with specific parts of the legislation and the process of creating OTAB, we want there to be no misunderstanding: Our union believes OTAB must go ahead.

There is now widespread agreement on the critical importance of training. We share that belief. In our view, training is important both as the fundamental building block of a high-wage, high-skill economy and as a tool for equity.

There is also widespread agreement that on the whole Canada's and Ontario's training efforts fall far short of what is required for employed workers, for the unemployed and for people who have traditionally been disadvantaged in the labour market. It is our hope that OTAB will become a vehicle through which we can start to address the shortfall. We need more training and we need better training, training that is designed to meet the specific needs of people in different situations.

Our union is convinced that the fundamental reform of the training system that is required can only be achieved if workers and potential workers are themselves involved in training decisions. This is true at the level of the individual workplaces and at the level of the provincial and national policymaking.

OTAB appears to offer workers, through their unions, the opportunity to make real decisions about training and adjustment. This is what makes OTAB so exciting to us. It promises a chance to build a training and adjustment system that truly meets the training needs of working people.

The minister has stated that OTAB is part of a long-term industrial policy framework for Ontario. We agree. "Part of" are key words. It must be emphasized that training is not an industrial strategy. Training by itself cannot bring an end to the economic dislocation and the resulting human misery that thousands and thousands of workers are currently experiencing.

For training to work, there have to be jobs. Jobs will only be created in the context of progressive economic and social policy and innovative industrial strategy and trade policy. An obsession with training to the exclusion of all else may in fact lead to the perception that the reason individual workers do not have jobs is because they are not trained, and that in turn lends itself to a right-wing, blame-the-victim stance.

It is ironic that at the same time the Ontario government is moving ahead to build a strong, more responsive adjustment system, the federal Tories have decided to steadily cut back the UI system and now appear on the verge of launching a major attack on unemployed workers. If and when the Tories do attempt to radically reshape UI, our union will be there to fight back, and so, we trust, would each and every MPP here today.

Overall, our union is very much in support of the OTAB legislation. We are very pleased that the act recognizes the dual practice of the labour force development programs: improved productivity on the one hand and the improvement of the lives of workers and potential workers on the other. We would not have accepted an OTAB that was not based on the recognition that training must make individuals' lives better and must meet the needs of workers and potential workers.

We're also pleased that OTAB is to cover both private and public sectors. In our view, a strong public sector is fundamental to the economic wellbeing of this province.

When we try to picture what kind of OTAB is required, we are guided by three tests:

- (1) Will OTAB be a body with real decision-making power and influence over labour market policy?
- (2) Will OTAB be an effective, functional agency that is able to get things done on a day-to-day basis?
- (3) Will the labour market partners, including the labour movement, have real and lasting influence within OTAB, and will the partners be able to effectively articulate their own views on labour market issues?

The current legislation meets the first test rather well. OTAB is not to be an advisory body; it will be a body with significant authority over the policymaking, program design, funding priorities and service delivery. As we understand it, under this legislation neither OTAB's governing body, its councils or the local boards would themselves allocate funds to specific businesses, community groups, educational institutions or sectors. OTAB funds would be dispersed by OTAB staff according to the rules of the programs established by OTAB.

We anticipate that, after the initial teething pains, the second test will also be met. We fully expect OTAB will get the job done.

We have some concerns about the third test: the accountability of OTAB to the labour market partners and the ability of the labour market partners to shape OTAB and its programs. Our first concern focuses on OTAB's top management structure. If the labour market partners are to have real authority within OTAB, the CEO must be appointed by OTAB's board and be accountable to it.

Section 16 of the legislation goes some way in providing for both appointment and accountability to the board. However, it appears to us that unless further measures are taken, the CEO may be able to operate independently of OTAB. In that situation, OTAB may become something of a reactive, part-time advisory board, for all practical purposes controlled by the CEO and his or her bureaucracy. In order to address that possibility, we believe the following is required:

- two part-time co-chairs from employers and labour. The part-time function would ensure that both co-chairs retain strong day-to-day links with their own constituencies;

- two full-time representatives from employers and labour appointed by their respective co-chairs, who would provide ongoing policy direction and advice to the CEO;

- a mechanism or procedure that would enable the OTAB to remove the CEO.

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Our second concern related to our third test focuses on the regulations which will be required under the OTAB legislation. Clearly, many issues are left to the regulation. On the whole, we don't have any difficulty with that. However, given the importance of the regulations, we would insist that the labour market partners have a major role in drafting those regulations.

The ability of the labour market partners to shape OTAB and its policies and programs will depend in part on the knowledge and expertise of the representatives who will serve

as directors or on OTAB councils or local boards. The labour movement has many excellent and dedicated individuals. Some of those are ready now to take up the challenge of OTAB. Many others, however, particularly at the local board level, will require orientation and training in order to truly understand current training and adjustment programs and systems. For labour representatives, that training and orientation must come from the perspective of the labour movement.

We believe that resources must be made available so that the labour market partners themselves are able to provide training and orientation to their representatives.

Resources are critical in another area as well. In order for the labour market partners to be able to effectively and consistently articulate their own views at the OTAB board, its councils and local boards, communication and coordination inside each constituency are essential. In order to ensure that this kind of coordination and communication does occur, we believe resources must be made available to each labour market partner for that purpose.

OTAB is an innovative and exciting initiative. It holds much promise. In our view, the legislation deserves the full support of the entire Legislature.

Whether or not OTAB's promise will be realized depends on many things. Two factors stand out. First, government ministries must be prepared to truly empower the labour market partners and allow them unprecedented opportunity to shape and influence labour market programs.

Second, the labour market partners must be able to work together. That does not mean the labour market partners must see everything exactly the same way. Clearly they don't. Employers, workers, women's groups concerned with equity, francophones and aboriginals will all have their own interests, dreams and visions. Some are shared, some are not.

Our union has demonstrated and continues to demonstrate on a daily basis that we can and will work very productively with employers and other unions and groups. Based on our leadership and our experience, we are convinced that the key relationships underlying OTAB can be built. Our union is committed to making OTAB work. If others are willing to work with us, we have no doubt that OTAB's promise will be realized. Thank you.

The Chair: Thank you, sir. We have five minutes per caucus. I want to tell people who are visiting us as spectators or participants that there's coffee and beverages at the side of the room. Make yourselves at home; they're there to accommodate you.

Ms Witmer is the Conservative caucus critic for Labour and Ms Cunningham for Skills Development. Ms Witmer.

Mrs Witmer: Thank you very much for your presentation. It's nice to see you back again.

You mention here that you are pleased that OTAB is going to cover both the private and public sectors and you indicate that certainly "a strong public sector is fundamental to the economic wellbeing of this province." I just want to remind you that we can only have a strong public sector if we have a strong private sector, because the public sector depends on the taxes we collect from the private sector. It's extremely important that whatever OTAB does do leads to wealth creation in this province. It's important that people do

work effectively together. I think you've mentioned that in here several times.

I'd like to ask you a question. OTAB at the present time is envisioned to represent only unionized workers. As you know, only about one third of the people in this province are unionized. There's a great deal of talk about equity. How do you reconcile the fact that there is no room on the OTAB board for 66% of the workers who are not unionized? I don't see any statement here.

Mr Hynd: It's my view that the people who are unorganized by choice can only be represented by the legitimate labour movement in Ontario. If you think about any legislation that has been created, it certainly hasn't been created through the unorganized sector. If you take safety and health, the push for safety and health legislation has only come from the labour movement. That's one example. There are many. So I don't feel that we have been unequal in representing workers. We represent unorganized workers every day.

Mrs Witmer: I find it unbelievable. We're talking about a new era in labour relations. We're talking about building partnerships. This government talks daily about equity for everybody, and yet 66% of the workers are not going to be represented on this OTAB board. I find it totally unbelievable that anyone could support the exclusion of those workers.

Another question that I have for you concerns the funding of OTAB. There's been some noise made that eventually there will be a payroll tax levied on employers. I guess I would like your reaction as to whether you feel employers should be penalized in this way if we're going to have a partnership.

Mr Hynd: I don't know anything about noise. If you have any specifics to present to me, I would certainly be glad to make an analysis of whether it makes sense or not and respond to that. If this is some rumour, then I have no interest in really responding to that.

One of the things you said in your statement about a strong public sector, that can only be created through the creation of wealth.

Mrs Witmer: That's right. The private sector pays taxes.

Mr Hynd: Wealth creation means different things to different people, and in our presentation we say that the way to create wealth in Ontario is to create jobs. We didn't eliminate them. We have some serious reasons to believe that the jobs that have been lost in Ontario result from policies the federal government has enacted on free trade and NAFTA. We feel that the only way to combat that is to begin training, but in addition to that, jobs must be created. So wealth creation for us is the creation of jobs and the distribution of wealth to the people who work here.

Mrs Witmer: And we're going to have jobs only if people feel that they want to come to Ontario and create new jobs. Certainly some of the legislation has been very regressive in that regard. I talk about the payroll training tax because last week when the OFL was here—

Mr Hynd: Is that a question or a statement?

Mrs Witmer: Last week when the OFL was here, it did recommend that there be a payroll training tax, and I didn't know if your union also was recommending the same thing.

Mr Hynd: If in fact there is a payroll training tax proposed, I would like to look at it, study it and then respond to it.

Mrs Witmer: A contribution by both business and labour.

Mr Hynd: I don't like to respond to things off the top of my head. I like to think about it.

Mrs Witmer: So your union's not given any consideration to a payroll training tax.

Mr Hynd: I haven't had that proposal made.

Mrs Witmer: Just one final point. There's been some concern that the private trainers in this province are going to be removed from involvement in providing training. How do you see the provision of training in this province taking place? Do you see a role for the private trainer?

Mr Hynd: It depends on what you mean by private trainers. What do you mean by private trainers? Who are private trainers?

Mrs Witmer: There are training schools. There are colleges that presently do that job and do it quite well.

Mr Hynd: Community colleges you're talking about?

Mrs Witmer: No, there are private colleges. In fact, we've had some presentations from those individuals last week. The Toronto School of Business was one of the groups that came in. They're presently providing training to individuals, and there's some concern that their role will be eliminated. How do you envision the provision of training?

Mr Hynd: Essentially what I said in our brief about a strong public sector really directs how I would respond to the question. Community colleges, in my view, are a major source of an ability to provide some of the training that will be necessary. I don't see that there's much advantage for us to think about training that really comes about as a result of profit, through either consultants or private colleges.

My preference, if I can urge the government, would be to direct all the money it can to the public sector training. Where we have trainers in the workplace to improve skills in the workplace, that should be utilized. I believe that's very important for us to consider.

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The Chair: Thank you, sir. We have to move on to Mr Wood, Mr Wilson and Mr Farnan. Again, I remind and invite people to partake of the coffee and other beverages here. They're here to make you feel comfortable and at home, and Lord knows you as taxpayers have already paid for it, so you in the audience make yourselves comfortable. Go ahead, Mr Wood.

Mr Len Wood (Cochrane North): Thank you for coming forward with an excellent presentation. As you're aware, this is the second week of hearings now. During the presentations, we've heard from some members of the Conservative Party and from some of the Liberal Party that the number of people who are out there organized have representation, but for people who don't want to, for one reason or another, become involved with unions, there is no representation.

I'd just like to know what your feeling is. I'm aware of the latest statistics, that 37.5%, I believe, of the workers out there in the province decided to join a union of one kind or associate with the Ontario Federation of Labour, CLC, and

I'm just wondering what your feeling is. I'm sure there are a lot of benefits that unorganized workers have received because of the union activity throughout Ontario.

Mr Hynd: All kinds of people speak for the unorganized. Business community groups speak for the unorganized, political parties speak for the unorganized, the labour movement speaks for the unorganized and on rare occasions some people from the unorganized sector speak for themselves—on rare occasions.

An example of where they're speaking for themselves is in Stelco, where a group of salaried employees who are unorganized are trying to convince the company it should do something different than it did with them with respect to their pension plans.

I certainly think that any advances that have been made by workers certainly haven't been made by the trade union movement and they haven't been made by the unorganized sector.

The Chair: Thank you. We've got to move on if we're going to have time for Mr Wilson and Mr Farnan.

Mr Gary Wilson: Thank you very much for your presentation. I'd just like to continue from Mr Wood's question to say that the other jurisdictions all use this model as well, that they have to turn to organized labour for representation of workers. After all, workers share nearly everything in common. Therefore, you have to have some organized structure to appeal to for that representation.

I want to ask you about the cooperation of the major labour market partners in OTAB. Just in your own experience in cooperating with employers in the past, where do you see the signs of hope for this kind of cooperation that can lead to a productive relationship?

Mr Hynd: Quite frankly, where we've met with our counterparts in the business world on equal terms, we've managed to accomplish lots of things. So if we have a structure whereby business and labour are equally represented on any given vote, we can accomplish great things. I have full confidence that, given the opportunity and taking into consideration some of the things we said about the structure of OTAB and the management of OTAB, we can accomplish a lot and provide training that has been much needed in Ontario since I came to Canada in 1957.

I'm amazed that people who would be critics of training and critics of this program have done virtually nothing in this province about training. I had a meeting with the federal Minister of Employment and Immigration who told a story; it's a great story. When you're walking through a shopping mall, you meet this friend of yours and he's got a little boy by the hand. You say, "What is your son going to be?" "Oh, he's going to be a doctor or a lawyer." Nobody ever says they're going to be a carpenter or a plumber. I said: "You know the reason why that is? We have training programs for lawyers and doctors."

The Chair: Thank you, sir. Mr Farnan, please.

Mr Mike Farnan (Cambridge): I just want to congratulate you on the very forthright manner in which you addressed Mrs Witmer's question in terms of the labour movement and the work that is done for all workers. I think you could have added medicare, pensions, interest in the minimum wage, domestic employees etc.

But I think the question boils down to this: Has the labour movement ever attempted to limit the gains that the union sector has achieved? Has it ever attempted to limit those only to themselves, and not to the non-union sector, or has it been the opposite that the gains won by the union sector become a possibility for improving the level of all?

Mr Hynd: I think the fact is that the gains we make do impact on non-union workers. As wages improve in the unionized sector, it draws along with improvement in wages and benefits in the unorganized sector. It would be foolish for us ever to say that this only applies to us and that our aspirations are only for organized workers. Our aspirations are for all workers. Quite frankly, it would be a great society we lived in if there was no necessity for trade unions. I don't ever imagine that society. But I know this: that there can't be a real democracy without a strong, legitimate trade union movement. I believe firmly that we do great work, not only for the organized working people but for all working people.

The Chair: Thank you, sir. Mr Ramsay who is the critic for Skills Development for the Liberal caucus.

Mr David Ramsay (Timiskaming): Thank you, Mr Chair.

Mr Hynd, thank you for the presentation today. I think we all agree that we've got to come together and work more closely together and try to make sure we can provide skills training opportunities for all in Ontario, and I think you make the point.

Quite frankly, the private sector in this country has been quite negligent in providing skill training opportunities to their workers. In fact, when you look at some of the opportunities that have been provided, it's mostly to the white-collar end. It hasn't been to the workers, but more to management. That's got to change, and hopefully this debate we're having is going to bring the private sector to understand that it has got to contribute. I think maybe they're starting to understand that now.

One thing I just wanted to compliment you on is the work that your union has done through CSTEAC, the Canadian Steel Trades Employment Congress. I think it's absolutely incredible having industry and union come together. There are many examples in my riding where two big iron-ore mines, Sherman and Adams, went out of business. The adjustment programs that program has provided have been tremendous.

The concern I have is that OTAB is being structured as what we call in the business of government a schedule 4 agency, which means it's going to be quite an independent crown agency much like the Workers' Compensation Board. I know in my riding offices and in most members' riding offices, WCB cases seem to be the bulk of our workload. We have a lot of problems with that, and I know the union does. I guess what I'm concerned about is setting it up based upon the same model as that, and similar to the Workplace Health and Safety Agency when we've seen what's happened there. I was just wondering if you had any concerns and maybe any suggestions so that we don't get into the same problems we've had with these other agencies.

Mr Hynd: Well, I don't know that the problems we've had with these other agencies have anything to do with the structure that's been proposed for OTAB. Let me just say to

you that it's difficult to accept criticism on one hand and praise on the other. If you look at CSTEC and the way that's structured, it's much the same way as we would structure OTAB. I don't see that there's a significant difference.

With respect to the health and safety agency, I think it's premature to make any judgements about that. Quite frankly, I think the business community was remiss in having people represent the business community that really didn't have a legitimate interest in serving that particular agency. That was apparent from some of the comments made by Judith Andrews, as an example, that workers are bumps on a log and can't take in training on safety and health. I think that was counterproductive to the purpose of it.

I think the structure that is set up in workers' compensation is far removed from this. Workers' compensation carries a legacy of real problems that give rise to the many problems you have in your area and we have in ours. It's a bureaucracy that has been styled to create chaos, in my view. It's certainly nothing to do with the top structure.

The Chair: I want to say thank you to the United Steelworkers of America, particularly District 6. Thank you, Mr Hynd and Mr Olthuis, for your attendance today and your interest in this matter. You represent a significant constituency and you've made a valuable contribution to this committee's process.

Of course, you and any members of the public, either here or watching on the broadcast service, are entitled to receive all or any part of these proceedings by way of Hansard. All of this is being recorded. You can obtain those by calling or writing to the clerk's office or your own MPP, and those are free of charge.

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KEITH BAIRD, WILLIAM JOHNSTONE,
H. GEORGE PITTMAN, JIM PITTMAN

The Chair: The next participants are Keith Baird and Bill Johnson. While they're coming forward, Mrs Cunningham, please.

Mrs Cunningham: I just wanted some clarification for the committee. I'd like to know the status of the Canadian Labour Force Development Board. It was my understanding there would be legislation—it is expected—for its mandate and I'm wondering if it has taken place. Right now, I understand it's in an advisory role to Employment and Immigration. I think the committee ought to know that status.

The second question I have is with regard to a comment Mr Sutherland made. I think it's something to do with this government not having the mandate to work through either the legislation or the regulations around the makeup of local boards. I'd like a clarification either from him or maybe from the committee if in fact that's the case, because it isn't my understanding.

The Chair: Both those issues are noted, not only by research staff but by ministry staff and by Mr Sutherland. Once there's a response prepared, we'll arrange for that to be put on the record.

People, please tell us your names, and if you wish, anything about your position or background that brings you here, and proceed with your comments. Save the last 15 minutes

for questions and dialogue. That's a very important part of what's happening here this morning in these public hearings at Queen's Park dealing with this legislation. Of course, auto insurance, which is being dealt with down the hallway in committee room 1, is also a public hearing, as interesting as this process.

Mr Ramsay: What's your stand on that?

The Chair: Go ahead, gentlemen.

Mr Keith Baird: I'm Keith Baird. I'd like to thank the standing committee on resources development for the opportunity to present our concerns regarding this bill, the legislation creating the Ontario Training and Adjustment Board.

I'd also like to point out that we have many who have felt exercised to come who are non-organized workers, also ones who desire to have training in the trades, carpenters, electricians, body mechanics and auto mechanics, and I'd just like to thank them for coming.

The Chair: If any of them wish to join you, we have two more seats up here at the mikes. They're welcome to of course. Come forward, people, if you wish, and welcome to the committee. We want to hear your names though, if you don't mind.

Mr H. George Pittman: George Pittman, Toronto. I live here. I served my apprenticeship here.

Mr Jim Pittman: Jim Pittman.

The Chair: Go ahead, please.

Mr Baird: Established in 1831, we are Christians, known by government as Christian or Exclusive Brethren. We are believers in the Lord Jesus Christ and we gather daily in our meeting halls throughout this province and worldwide with those of like faith. We accept the supremacy of God and follow the injunction of Jesus Christ through his apostle Paul not to be unequally yoked together with unbelievers. This, as all Scripture, governs our conscience as we believe it is the inspired word of God. Therefore, we live and raise our children free from all earthly entanglements which would join us in a common link with those with whom we do not celebrate the Lord's supper.

As sincere believers, we pray daily for government and respect its God-given authority. As parents of young children, we are concerned that the government make adequate provisions for non-union training in the technical and trades of their choice without compromising their religious training and conscience.

We are not approaching this committee as a special interest group, though, as we do not take the sectarian ground, but rather take the stand of holding this ground for all men who have to earn a livelihood and provide for their families, free from any involvement in a man-made association, in the occupation of their choice.

The subject of government is discussed in Romans 13: "Government is ordained of God....Rulers are not a terror to a good work but to an evil one....and it is God's minister to thee for good."

Surely you would recognize your responsibility to be guided by the word of God when enacting this legislation. Introducing ungodly practices or ideas to the administration of law, such as allowing wrong third-party involvement in the

training of our young people, would only compromise right judgement. Because of unions' self-serving interests, there would be no guarantee of non-union training, eliminating the chance for our young people to work in the trade of their choice.

I would appeal to this committee to consider the complete ramifications of this legislation and listen carefully to the following presentation by Mr Bill Johnstone. Thank you.

Mr William Johnstone: Good morning. I wish to thank you for the opportunity of speaking.

The government of Ontario is faced with the need, intensified by current economic conditions, of ensuring the development of a well-trained, available workforce in the face of a changing workplace environment.

Training programs of all types are the vital basis of worker readiness. Government has cared for education in the past and this is as it should be. Government is in the ideal position of having a broad view of both individual needs and economic trends and is presumably above bias when establishing standards for the public good.

This last point, bias, is the basis of my concern. Government has God-given authority and this has two facets: first, it is responsible to govern, and second, it is responsible to make sure that its governing acts are just and do not contravene the rights of God, who gave the authority. When government is persuaded to delegate or divest itself of authority and control in matters which should be administered without bias, power may be put into the hands of persons or groups who may have views running counter to the interests of both segments—the citizens affected and government. They may not have the vision of a broad overview and may be affected by vested interests.

Specifically, my concern with OTAB is that the board of partners is drawn in a higher proportion from big business and large private industry, most of which is heavily unionized. Thinking from this sector is pretty well resigned to the acceptance of unionism and the idea of association. Where is the balance of equal representation from the small, non-union contractor or of individuals who do not deal with organized labour on a day-to-day basis and consequently do not have the same point of view?

As a believer in Our Lord Jesus Christ, as one who has a conscience before God, as a worker and employer in Ontario and a father of potential trainees and members of the workforce, I'm here to represent to this standing committee that there are persons in this province who will be severely affected by this influence.

It is the duty of this government to exercise God-given authority to directly protect the rights of both an employer and an employee to interact without third-party involvement, and the right of an individual to earn a living without contravening his conscience.

We recognize God's supreme authority over us and maintain total separation from the world, and we could never form or join or contribute to any association not consistent with the holy fellowship of God's son. This applies to every detail of our lives, including no membership in associations, no investment in mutual funds or shares in public companies, no group pensions, group insurance or group medical plans. This extends even to a physical link such as a shared wall in our homes and business premises.

We have noticed the close links of organized labour personnel with the creation of OTAB and we are concerned that this type of thinking will permeate the organization. This concern is what brings us here. I cannot contravene my conscience before God by having anything to do with unionism. I am not convinced that this governing body would be unbiased about my need to be separate from affiliation.

If OTAB is influenced in the direction of putting training programs, for example apprenticeships, under the control of unions or related associations, the opportunities for obtaining skilled trades licences for myself, my peers and my children are cut off. We will be prevented from obtaining employment in the largest sector of the job market. The prospect of the government proceeding down this path is understandably alarming to me.

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To expand on the example mentioned, apprenticeship programs are fully directed by the government at present. Currently, enrolment in an apprenticeship program is by direct contact with a government official. We can study at a school in the public system, sit a government exam and obtain a government licence without ever being involved with any union. It is nearly impossible at present for any non-union person to get or keep a job in a unionized environment. But even in the presence of this, a tradesman can still be self-employed under the present system. It appears that even training will now have union involvement, which virtually eliminates even the procurement of a trade by anyone having a conscience against joining himself to organizations.

It appears to me that the formation of OTAB will be a compromise to reach an agreement that would please most of the partners and of the public. Taken to its full extent, minority concerns may be trampled by huge memberships' or groups' demands for ideas.

What concerns me too is that the whole OTAB setup has originated from a party in government already itself heavily influenced and financed by unions and which has already increased the power of unions tremendously. But by creating a separate non-government body to take control of whole programs serving the public, will bias be inherent? Control is in the hands of the interest groups represented, of which labour—meaning union management—is a large part. There is a probability, therefore, of the whole basis of OTAB being slanted towards the interests of its board partners, which is predominantly organized labour, and we all know that majority has a tremendous voice.

We urge the government to reconsider its proposal to relinquish control of job training programs. There must be provision for a believer's conscience before God. While there are citizens of Ontario who cannot deal with unions, you, the government, must retain control of this vital area so that we can continue to earn a livelihood without compromising what is set out in the Holy Scriptures.

It is notable that nations where Christian conscience has been provided for have been helped of God. Daniel's appeal in the Scriptures to the greatest monarch was to heed his counsel, and I'll just read it to you. It's Daniel 4:26-27: "And whereas it was commanded to leave the stump of the roots of the tree; thy kingdom shall remain unto thee, after that thou shalt know that the heavens do rule. Therefore, O king, let my

counsel be acceptable unto thee, and break off thy sins by righteousness, and thine iniquities by showing mercy to the poor; if it may be a lengthening of thy tranquillity."

Thank you for the opportunity of speaking.

The Chair: Thank you, sir. I should tell you, I'm as concerned as anybody could be about the trampling of minority rights. I'm particularly sensitive to that, especially of late. Mr Sutherland, please.

Mr Sutherland: I just wanted to clarify your presentation. I think it needs to be stated here that individuals will still be able to take advantage of training programs, apprenticeship programs, without having to join a union. Yes, the management structure is set up that labour and business, plus some of the equity groups, are involved with overseeing and in terms of directing what type of training goes on, but that does not mean that you have to join a union to be able to be eligible for a specific training program. Individuals who are eligible for apprenticeship now will still be eligible for apprenticeship programs once OTAB is established.

Mr Baird: That's going to be guaranteed in the legislation?

Mr Sutherland: I think that's guaranteed now. There's nothing in the legislation that says you have to be a member of a union to take advantage of the training programs provided by OTAB.

Mr Baird: But you're missing the point. Because of unions' self-serving interest, what guarantee is there that the way will not be shut off after the creation of OTAB?

Mr Sutherland: Okay, I guess I would refer to the section which also says the people who are on the OTAB board must represent the public good. OTAB is set up to provide training for all Ontarians and for the entire province, and it's not to be exclusively just for union members; it's for everybody. It talks about those who are in the workforce, those who want to get into the workforce or re-enter the workforce. So I just want to get that clarified, that you'll still be eligible without having to join any association to take advantage of those training programs.

Mr Baird: We feel that is the thin edge of the wedge, though; that because of the domination of union influence and because they do not represent our interests—we feel that their interest is to represent the organized worker and to further the organization of the Ontario worker. We are not represented on these boards.

Mr Sutherland: Okay, so you're talking about direct representation on the boards.

Mr Baird: For those who do not want to belong to a union, who does represent us?

Mr Ramsay: Good question.

Mrs Cunningham: Answer it.

Mr Sutherland: Sure, I will. I think the sense is, though, it comes from both sides. It comes from the sense that not every group is going to be represented on every board. There are all kinds of groups.

Mr Baird: You're talking about 66% of the workforce, and if you eliminate the government part of it, it's only about 18%.

Mr Sutherland: But I think the point is, not all business groups are going to be represented on the board. It's a shared responsibility between business and labour and your members will still be able to access the training programs. The emphasis is on developing effective training programs.

Mrs Cunningham: I'm very disappointed in your answer.

Interjection: What's your answer, Dianne?

Interjections.

The Chair: Go ahead, sir. Please don't let these people use up your time. Don't let them get away with that.

Mr Baird: My concern is that if you eliminate the government unionized worker—18% approximately of the population is unionized and yet 100% of the labour representations are union representation. My stand is that they do not represent our interests. What guarantee is there in the legislation that our interests will be protected for the non-union environment that we have to have?

Mr Sutherland: As I said, there is that protection that says that all the parties on the OTAB must look after the public good and the public interest, and that is all workers, in terms of ensuring that everyone will have access to training programs.

Mr Johnstone: Why couldn't we be specific about that in legislation? I think we need to understand that there are training programs. If you want to be a carpenter, you can go to George Brown College. The union also has its school. You can go to their school.

The government is very concerned about the economy. What would be the government's position? Are they going to say, "Well, it may be better for us just to have the union set up its own carpentry school"? That would eliminate us. That's what our concern is, and there's nothing in the proposed bill to indicate any protection for anyone with a conscience before God.

The Chair: Do you want to respond briefly, Mr Sutherland, and then give the floor to Mr Wilson?

Mr Sutherland: Yes. There's nothing to exclude, either. I think that needs to be—

Mr Johnstone: I think it's better to include than exclude. That's why we're here today.

Mr Sutherland: My colleague Mr Wilson has a question.

Mr Gary Wilson: Thank you for your presentation. I think it's important that you raise that issue about the inclusiveness, because once you start including, then you've got to list all the groups which are going to be included; that is, once you itemize, you've got to include every conceivable group in society. It's better, then, to do it the way we've done, which is to say that there will be a representation in the public interest by the various sectors that are involved in training.

But I do want to ask you about the training aspect and what you think of it now. Are you getting the kind of training that you think is necessary?

Mr Baird: I have a small construction firm and we have put several apprentices through the apprenticeship program. There are currently two right now. My men are licensed tradesmen. If it was under union control, we

would not get sufficient training. They are getting sufficient training as it is now.

Mr Gary Wilson: What do you think of the inclusion of the equity groups in the training board for OTAB?

Mr Baird: As equity group—

Mr Gary Wilson: You understand the makeup of the governing board of OTAB?

Mr Baird: Yes. I think it weakens the concept of government. Labour has traditionally been self-serving.

Mr Gary Wilson: I'm not referring to labour. Labour and business are two of them, but the other labour market partners.

Mr Baird: You're thinking of the francophones and so forth?

Mr Gary Wilson: Yes.

Mr Baird: It's just a weakening of the whole position.

Mr Gary Wilson: So you have no problem with their being left out. Is that what you're suggesting?

Mr Baird: I think OTAB's not a good idea, period, because it is weakening the whole concept of government control.

Mr Ramsay: Thank you very much for your presentation. Obviously your questions are right on and that's why you got inadequate answers from the government members, why they cannot answer those questions to your satisfaction. If the government wants to make sure that OTAB includes everybody, then why didn't it attempt, in its representation, to make sure that representatives represented everybody? They haven't. You've brought forward the figures of what the representation is by the government formula, and you're correct: It's not open to everyone, even though the union members will say they can represent all the workers.

Mr Baird: They do not represent us.

Mr Ramsay: Correct, and many other sectors of the economy. That's the trouble. It's a very sort of monolithic look at the economy, saying that everybody is this type of worker and that as long as we get them represented, we're okay. But you brought forward a point of view, and many others before you and I'm sure after you are doing the same.

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I also share your concern about taking this whole very important business of training and education beyond the secondary school level and really making it quite independent from government. I believe government could get out of the business of doing a lot of things, but this is a particularly important aspect of how we organize ourselves as a society. I agree with you on that point. I was just wondering if you have any suggestions of how we should be proceeding with this issue of training.

Mr Baird: If you did insist on a representation from the labour sector, if the union workforce represented 33% of the workers as an example, it shouldn't have any more than 33% of the board, would be my feeling as to what would be feasible.

Mr Offer: Thank you for your presentation. After listening to your presentation, it seems to strike at the principle of accountability and who in the end should be responsible. Should it be just the OTAB, with its problems in terms of

reflecting the wishes and views of many people in the province, or should it be the government? It is clear that OTAB and the legislation sever the cord of responsibility from government to all workers in this province. I would like, if I could, to hear your thoughts on whether that cord of responsibility should rest in the end with the government, dealing with this issue of training which will affect everyone in this province.

Mr Johnstone: It definitely rests with government. I think that's what we need to understand. Who's accountable for this whole program? Government, as we said in our presentation, is of God. We recognize God's interests. You people have been elected and yet you're responsible to God. My feeling is that if we put any other party, if we involve a third party, if we want to call it that, or some further level that is not really government, we'll have nothing but problems, especially for ourselves, because we respond to government, we respect government, but yet we're taking things out of the hand of government and putting them into what we see as a biased group.

Mr H. George Pittman: Could I say something here?

The Chair: Sure you can, Mr Pittman.

Mr H. George Pittman: When I served my apprenticeship, about 1939-43, because I was a believer I didn't take a union card. The union man said to me: "Make up your mind. The union men will not teach you anything." That was just a simple experience. As it happened, I had mercy from God. I served my apprenticeship there in a shop and worked there for 37 years, but I was not involved in a union.

The Chair: Mr McGuinty, very briefly, please. I mean it this time.

Mr Dalton McGuinty (Ottawa South): Gentlemen, you raise a very good point, I think, which strikes at the very heart of this bill. The question we've got to ask is, who's in charge, who's responsible, who is charged with looking out for the public interest? What the bill purports to do is it says, "We're going to throw a bunch of people in who represent particular causes, and hopefully, through some mysterious process, they're going to come up with something that resembles the public interest." I don't have any faith in that happening. The people charged with representing the public interest are those people. That's what they were elected to do. There's simply no accountability for the directors on the board, and the local members as well, to properly be held accountable.

The Chair: Do you people want to respond to that comment? Go ahead.

Mr Johnstone: We agree.

Mrs Cunningham: At least from my understanding and my role in training over the years in the province of Ontario, I think we certainly need more emphasis on it. This is the government's attempt to do that.

It's interesting to know that we had a representative last week who told us we actually have a training system in place now. It needs to be mended and it needs to have accountability. He talked about the Skills Development ministry, those people not only emphasizing what the training needs were in the community but finding the places, in a non-biased way, for workers to be trained. Then they talked about the local

training boards that are in place now in the communities assisting with representation from the business.

What was missing, as one of the groups advised us today, was input from labour, and I think this is the government's effort to get input from labour. I'm just wondering if you would tell us what you know about local training systems, the skills development, the apprenticeship programs now, and maybe offer us a way of repairing it other than this board, if you've got any thoughts on that.

Mr Baird: I've been quite happy with the system, I think as far as the apprenticeship system is concerned in our field, and there's an effort to bring an academic level into the trades. My feeling is that it's a skills and development—it's not a question of control; it's a question of the teachers being able to teach.

Mrs Cunningham: Okay. So you're saying you don't see the need for this big bureaucracy to administer the system.

Mr Baird: No. It seems to work well.

Mrs Cunningham: Okay. On the other question with regard to your representation as a non-organized worker, we had the Ontario Federation of Labour last week, and today the United Steelworkers of America tell us that they do represent you.

Mr Baird: They don't. It's strictly a self-serving interest, labour's representation. They would like to get their hands on the education system.

Mrs Cunningham: You should know that we will be making a recommendation to change the makeup of the labour part of the representation on OTAB. That will be a recommendation for change based on a tremendous amount of input that we've had for over a year in the province. It's probably the number one criticism of the whole makeup of the Ontario Training and Adjustment Board.

Mr Baird: The reason we're here, though—we don't want to get cloudy—is because we feel that there should be provision for our beliefs that we could bring our children up free from union involvement in the matter of education. If they want to take a trade, it should be left open to them.

The Chair: Thank you. Ms Witmer, Conservative Labour critic, please.

Mrs Witmer: Thank you very much for your presentation. I would tell you I'm very sympathetic to your viewpoint. I have many people in my own riding of Waterloo North who have religious beliefs and they have certainly indicated their concern. For example, when the movement was afoot to unionize all farm workers, they wished to be exempt. So I have great sympathy with the position and proposal that you're putting forward this morning. I think you have some very valid concerns that minorities such as yourself will indeed need to be unionized to have any access to training or procurement of a trade. I see that happening and I share your concerns and I share your fears.

In fact, let's get back to the statement that you made here where you say, "It is nearly impossible" at the present time "for any non-union person to get or keep a job in a unionized environment." Could you explain that for me, please, the trouble, the difficulties?

Mr Johnstone: Our concern is that—say for example I have my own child who wants to get a job in a machine shop with a reasonably sized organization. They go and apply, there's a union there, there's usually a three-month period and then it's presented to them after they've proven themselves, "Well, you must join the union." Well, we can't join the union.

The conscience clause at present exempts us only for the duration of the first collective agreement. What happens after that? It's mandatory joining of a union, of which we can have no part.

So we can't insist on our children going a way that's completely closed to us, and that's what we feel. I think as we've gone around to try and find jobs, where there's a union basically we've been excluded.

The Chair: I want to say thank you to you people for coming here to Queen's Park this morning, for expressing your views and sharing your insights on this legislation with us. You've made a valuable contribution. So to you, Mr Johnstone, Mr Baird, Mr Pittman and Mr Pittman, the committee expresses its gratitude. We trust that you'll follow this legislation as it proceeds through committee and back into the Legislature for third reading, and we welcome any further comments, any of the members of the committee or any MPP.

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Please, before you leave the building, any of you, if you're here for the first time, or even if not, make sure you travel around the building. The Legislative Assembly, although not being used, is open. You as a carpenter, Mr Pittman, might find some of the craftsmanship particularly interesting. It probably comes from your era of artisanship and skill. So thank you, people. Take care.

These are public hearings. The public is invited to attend to observe and listen. We're in the Amethyst Room on the ground floor of Queen's Park, and of course the auto insurance hearings began this morning down the hall in committee room 1. Those are most interesting and, of course, have some serious consequences for all drivers and potential accident victims in the province. People are welcome to attend committee room 1.

DAVID A. HOGG

The Chair: Dave Hogg is the next participant. Would you please come forward, sir? Have a seat, tell us your name, your position or background, if you wish, that brings you here and proceed with your comments, sir.

Mr David A. Hogg: My name is David Hogg and I want to stress that I only represent myself. My comments need to be taken in that context. Having said that, I realize that I need to establish some credibility with you. My credibility might already have experienced some erosion depending on who stays and who leaves the committee. What right do I have as an individual to presume to seek your time? Anyway, I do, and I thank you for the opportunity.

I want to list off the record the associations to which I have affiliations, because I don't represent them, but I do have affiliations which may add to it. I'm chairman of the Scarborough chapter of the Association of Professional Engineers of Ontario; I'm a director of the Scarborough Industry Education Council; treasurer of EMITAC; vice-president of the Organization for Quality Education; a member of the

school outreach committee, Association of Professional Engineers of Ontario; and I have other affiliations.

The Acting Chair: If I might interrupt, it will be listed in Hansard, but we'll make it quite clear that you are not speaking on their behalf.

Mr Hogg: Thank you very much. From this I hope you will see a continuum of my interest in people development, so you'll likely understand my appreciation and enthusiasm for the concept of OTAB—the bringing together of Ontario and federal training initiatives to gain cohesion without, hopefully, losing connections to the most important individual characteristics of the prior initiatives.

For me, this is something very personal. I have undergone a lot of training. I might even claim to be a walking epitome of the model which is being proposed to those leaving school at present: expect to have a number of careers in the course of your working life. I think I've had at least 15 and maybe more.

I've had two apprenticeship experiences; I maintained my own racing motorcycles, tuned them. I thought at one stage I might be able to earn my living using my hands. It mightn't have been a very good living, but I thought I could have done it.

As an engineer, I've had a number of careers: maintenance manager for chemical plants; chemical plant designer; project manager for multimillion-dollar chemical plant projects from inception to completion; I've been in electronic manufacturing, warehousing-distribution and facilities engineering; I taught junior high school chemistry and I taught high school math; I've been a principal; I'm an accountant and I finished my working life as a business analyst and planner.

I'm telling you this not for promotion but to describe my horizon with regard to the matter that I want to raise with you, which is the composition of the Ontario Training and Adjustment Board.

The composition of the board is proposed to have two major components from business and labour. This again is an initiative with excellent potential. However, I would like to address the concept of the labour component. I do not like the term to begin with, as it sounds somewhat deprecating. Those skilled craftsmen who make up the segment of the economy described are every bit as professional as I would like to be as an engineer or as an accountant. I tell my fellow engineers they can be the most brilliant in the world, the most ingenious, the most inventive, but if they do not have equivalent calibre artisans, technologists and technicians, their projects will not get built or they will not work or they will not work as they should.

We are thinking here of a team, the workforce. I would like to suggest to you in the strongest possible terms that this is the title which should be used: "workforce." I would like to suggest to you in similar strong terms that if we do not think that way, our progress, the progress of this province, will be seriously impeded.

Once you start thinking in terms of workforce, I would suggest to you your orientation will change. Your vision will broaden considerably, and hopefully you will worry, as I have, that having seven OFL representatives in the workforce component is restrictive and somewhat unfair. I do not doubt that they will try to discharge their responsibilities well, but they may not quite have the all-encompassing vision necessary for

this most important task, and this comes from someone who can get as much enjoyment out of watching a skilled craftsman work as watching somebody skilled in sports.

In this regard, I would like to put forward for your consideration the inclusion of engineers. Typically this profession is on the leading edge in developing new products and new processes. If any group should know what future skills will be required, it should be the engineers.

This is not the only group in the workforce which should be represented if representation is to be fair, equitable and encompassing. I believe OFL represents about 15% of the workforce. I have no doubt they should be there. They must be there. But so should others to capture wider input and wider vision.

I'll never forget the tacky little plaque which hung in the chief engineer's boardroom of a major sector of one of the largest chemical manufacturers in the world. It read as follows, "God did not put all the brains under one hat!"—that's something I obviously haven't forgotten although it was a large number of years ago—and for that matter, not under any one group's hat. OFL stands to gain, not lose, by sharing the table.

That, Madam Chairman, is my presentation. If there are any questions, I will be happy to answer them.

The Acting Chair: Thank you very much. We begin with the Liberals and we have 25 minutes to be divided equally.

Mr Ramsay: Thank you, Ms Murdock. I'll probably share some of my time with my colleague here. Thank you very much, Mr Hogg, for your presentation. You bring up a point that many of us have been hammering away at, quite frankly, through the inception of this bill, that if training is a concern of all of us and all of us need to be part of this, then all of us need to be represented on the body that will marshal the training resources of Ontario.

I agree with you that there really are some deficiencies there, and if I will say so, every kind of prejudice. We say it's the labour side, and by that we mean unionized labour, and we're really therefore narrowing our representation of working women and men in Ontario to those occupations that have traditionally been represented by organized labour. You bring up a very good point: What about professional people? All of us in society are going to have to continue to hold our skills. I think that's a point you make. I was wondering what suggestion you might have as to how the representation might be more fairly balanced so that all of us who work in Ontario would be represented on the OTAB board.

Mr Hogg: I think one of the things I haven't seen in the literature, and I've read a fair amount of it, is that there hasn't been an analysis done of the various components, and clearly there are some problems in representation.

I think Premier Rae made this to the Scarborough Chamber of Commerce. He came and the question was raised about representation. He referred to the fact that the OFL is a democratic body, that it has elected representatives, but I make the point here that it's not the only body that has elected representatives. The 60,000 provincial engineers who are registered with the provincial association also elect a council. Therefore, if democracy and election is one of the criteria, certainly the engineers would fall into that category.

But there are other groups that certainly need to have their skills honed. Those people in management who are charged with the responsibility of giving direction to business can't bow out of this arena, so to speak. They have a grave responsibility to get training to make sure that they can pursue their entrepreneurial skills in an appropriate, efficient and, if necessary, aggressive manner.

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To answer your question, because that was obviously only an introduction to it, I think there should be some extensive work done to try and recognize the various groups that exist in the labour force and give them some representation. Eight people isn't very much, so it isn't going to be an easy task. It's going to require wisdom and the vision that I mentioned in order to do that, but certainly I think that there are people within the province who have that capability of looking at the total workforce, and that of course is a concern.

Once you come off the idea of labour, then clearly your horizon widens considerably and there are people within the province who could look at the total workforce and start examining how best to give fair, equitable, reasonable and necessary representation. So I think you make a good point.

Mr Ramsay: The concern I have too, of course, is that we're concentrating so much on, if you will, the parent board of this whole organization, OTAB itself, the Ontario-wide board. To me, we're designing a government agency organism the same way we used to do that 150 years ago, with a big top-down operation. To me, the important aspect of this bill in a sense is only mentioned in the bill and is not mandated, and that's the establishment of what we call the LTABs, the local boards.

That's where we should be working, where the important work could be done and where we would get, at the local level, a better reflection of the region or the community that's to be represented. It'd be a lot easier to decide: "In this particular area, this is the type of work we do. We have this sort of activities going on, and these are the folks, therefore, who should come on to our board and give us advice as to the training resources we need in our community." Unfortunately, this is all left to regulation and to be decided somewhat in the future, and we don't know how they'll be established or where they would be established.

First of all, do you feel like I do, that this is important, that most of this function is going to happen at the local level and that it's the important level, and do you have any idea as to how we can ensure that it will be effective?

Mr Hogg: You make another very critical point. That has been addressed in the hearings, and I did participate in those; there was an extensive hearing from the body I belong to, that I'm treasurer of, EMITAC, and I think, with a certain amount of modesty, that EMITAC has a reputation for being a very professional entity.

Mr Ramsay: The EMITAC is what?

Mr Hogg: The East Metro Industry Training Advisory Committee. That operates in Scarborough and would assist also in York. The presentation that had been made by EMITAC was that the one board for Toronto will be far too large and cumbersome. It would represent 1.8 million people and that is too large a group to adequately serve. So, again,

this is one of the beauties of looking very seriously at the local board representation. If you do that, then there are entities like the one I chair, the Scarborough chapter of the professional engineers, and I represent them on EMITAC. Because of my accounting associations, you can guess what happened.

We can bring this down to the local community, and that is where the training will have to be delivered, where their needs will have to be assessed. That will be an opportunity for the engineers at the local level to get involved, although there are people who are very knowledgeable at the provincial association.

Mrs Cunningham: Thank you for appearing before the committee. You started out by saying that the Ontario Training and Adjustment Board had excellent potential.

Mr Hogg: Yes.

Mrs Cunningham: I'm wondering if you could speak to us about what you mean by that and at the same time keep in mind the underrepresentation by education and how that fits into this great, excellent potential. What would you fix? What would you change? It has been a criticism.

Mr Hogg: I'm glad you asked the question, because if you go back to my qualifications, I have had two apprenticeship experiences. One was before I went to university and one was afterwards. I have worked in that field and consider it to be very valuable.

I think you can tell from my accent, because I haven't lost much of it, that I come from Britain. The apprenticeship program there was much more clearly defined than it is here in Canada, I think somewhat beneficially. You might find this strange coming from a Brit, but I also worked in Germany for a period of time and have maintained a friendship there over a period of 40 years. I suspect that the German apprenticeship system is very much better than ours.

There needs to be a certain rigour in the organization. In the case of Britain, a situation I know reasonably well, there was such fierce competition to get into the good apprenticeship programs at an early age that you would sit your grade 12 examination, which was a public examination, a standardized examination, if you like, and as a result of your performance at that examination you would get accepted into the better programs. The one I joined as an adjunct was very competitive.

The students, when they knew they wanted to go into an apprenticeship program, knew that they would have to perform in school, first of all. Once they got into school there was then a very close linkage between the apprenticeship program and day release for these apprentices to go into what you would call community colleges, what we call technical colleges.

That is where there is a major requirement because clearly—and this comes up in the Scarborough Industry Education Council discussions—there isn't a tight link between the schools and the apprenticeship programs. I suspect that now Ontario and Canada may be net exporters of education. When I came to the country I brought in probably about 19 years of education with me, something of the sort, and at that time I suspect there was a lot of importation of education. I don't think that's the situation at present. I've talked to friends who have businesses. They used to import skilled German craftsmen, for instance, for whom I have a tremendous respect,

having worked with them, but that isn't happening to the same extent.

If we don't get this right, this potential—and this, again, is where you draw on the engineering community to provide a comprehensive and cohesive policy; we have a lot of members who teach in the community colleges. It is absolutely critical, because if the average age of entry into the apprenticeship programs is 27, that means we have lost 11 productive years and maybe the most formative years. I heard last year that the electrical trades union took in 22 apprentices, 21 of whom had university degrees.

This is something we really have to look at: to get the linkages in place, to get cohesion. That's why I referred again and again to vision. We need people of vision on this board, even more than dedicated people. Of course, we would like everybody to be that, but you need to have people of vision who can look at the global perspective and look at the threads that need to come through and make sure the potential is captured.

Mrs Cunningham: Thank you for your good advice in that regard. We're certainly aware of the fact that the apprenticeship system has to be overhauled in this province, and there are very strong recommendations from the Premier's Council in that regard. But thank you for your recommendations on linkages.

Mr Hogg: Maybe I could just add one more point in that regard. The Scarborough Industry Education Council has been quite an education for me. What happened was that they decided the tech auto teachers were probably falling behind because of how quickly technology is developing in the auto industry. They established a program to take them back into industry and back into the dealers so that they would get upgraded and understand better the latest technology. When they set out to do this, the cochair of the Scarborough Industry Education Council, who is a Ford dealer, mentioned that some of his tradesmen could make \$90,000 a year. Now, let me tell you, that was more than I made. Whether they worked longer hours or not—well, they probably didn't work all that many hours longer. There were some weeks I managed to hit 70 hours a week, so they can't have been pushing much more than that. People get the impression that it isn't a high-paying job. It is, it can be very lucrative, and that should be attractive.

Mrs Cunningham: Which leads us, of course, I think, to what all of the committee members are concerned about, the attitudes. It's not new. We've been talking about it in this province for probably 15 or 20 years: how we have to change attitudes towards the further education of our young people by making the apprenticeship training certificates, along with the secondary school graduation diplomas—letting the public know that, number one, they're necessary and, number two, they're highly skilled and qualified. So I wasn't a bit surprised to hear that number.

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Mr Hogg: Prestigious, in fact.

Mrs Cunningham: We keep it too quiet, with regard to the ability of our highly trained workforce to make a good living and even a better-than-good living, in spite of their not having the goal of attending a college or university. I think it's one of the great challenges that we have, and that's why I asked you the question with regard to education.

Mr Hogg: That linkage is critical, and we need to get in there. You know, it was quite interesting, when I worked with tradesmen in Britain, it is quite possible that some of these skilled craftsmen would have a hobby as an aside. They could in fact be recognized as world experts in a particular field, so these people didn't consider themselves to be second-class citizens. It is from that background that I come and offer you advice and recommend that you look into these things.

As I say, I have the utmost respect for these tradesmen, especially when I try to duplicate it and realize how lacking my skills are. We have to get this idea over that there is—and that is why I hate the term "labourer." Within EMITAC there is a guy called Jack Cooney who may have appeared before you here. I think he's educational coordinator for the building trades.

The Acting Chair: He's going to be coming.

Mr Hogg: He's coming. Well, he and I have some interactions, and whenever he says "labourer," I say, "Please, Jack, don't use that term." I think we have a very amicable relationship and I think one that is—I mean, here again we talk about this business of improving the recognition and prestige of these professions and yet here we are in what will be the organization that people will look up to, and we use the term "labourer." The sooner we get rid of it maybe, the sooner we will move in an appropriate direction.

The Acting Chair: Now it's Mr Sutherland and then Mr Wilson, if there's time.

Mr Sutherland: I guess I want to come back to this point about labour and professions and how engineers and other professionals—I assume architects would be another one that would fit into that group, because you're quite right. My sense of the nature of engineers and architects is that they look upon themselves as being very professional and they're recognized as professional trades, and tend to be very independent and are reluctant in some ways to be considered within that—whether we use the term "labour" or "workforce"—development. In some respects many of them are independent business people and, as a result, they associate themselves with the business side of things.

It would seem to me that many engineers would have an opportunity to participate in this process through election, through the business representation on the component and likely through business representation on the local boards. I'm just wondering how you see that fitting in, that engineers, architects and those professionals who see themselves as business people as well as professionals, be represented on that side, or do you see some other way of having them involved in the process?

Mr Hogg: Let me first address your comments on engineers being attached to the business side. That is undoubtedly true. There are many engineers who have their own firms and they act as contractors and serve the community that way, and certainly in those functions it will be appropriate for them to be represented from the business side. However, I make the point to you that only 15% of the engineers at the maximum probably fall into that category. There are probably much less than that, because there are statistics within the profession.

We have a stamp and there are certain drawings that have to be stamped before they can go out, civil engineering drawings and so forth, and the statistic that is banded about within the

profession is that only 15% of the engineers need the stamp. Although there are 15% of the 60,000, not all engineers belong to the professional association. So most of the engineers would belong in the workforce component and not in the business component.

Mr Sutherland: Okay. Thanks for coming before the committee. Just as a note, I think all members would agree that no one has to establish his right to come before a committee. You have that right as a citizen of the province.

Mr Gary Wilson: Mr Hogg, I'd just like to ask you a brief question, partly because I don't know whether you were here for Mr Hynd's presentation on behalf of the United Steelworkers. I asked him a question about the cooperation between the labour representatives and the business representatives in his experience, and he said that where equality existed between the participants, then the cooperation flowed and productivity was reached.

I'm just wondering then about the term "labour" and whether, in your view, things like that are hangups to cooperation and just how we can then, again relying on your experience, think of or reach the cooperation that is necessary.

Mr Hogg: I can't speak for the broad horizon of Ontario people, but certainly it hangs me up, because when I think of labour I tend to think of semiskilled or unskilled labour, where that is the component, that you're working with your hands or your body. As soon as you start bringing in other components of the human being, we are totals then. It's difficult to talk of unskilled labour; you need some skill even to dig a ditch.

Mr Gary Wilson: Exactly, right. I think that's not often recognized. Just then pursuing that point a bit further, don't these people have the right—my colleague mentioned you have a right to come before us—to speak to the concerns they

have regarding training as well and might that be overlooked if we don't recognize that labour is inclusive?

Mr Hogg: If words are forerunners to the thought, then, sir, I would agree with you that I just don't like the term "labourer"—whether "workforce" is a suitable replacement, or "professional workforce" or whatever, so that you do give them this idea that they can be just as professional and dedicated and good if they're sweeping a room. If I do a lousy job as an engineer but somebody who cleans this room does a good job, then he would have to have more respect. He should have more respect.

The Chair: Thank you very kindly, Mr Hogg. The committee is sincerely appreciative of your taking the time to share your views with us, your insights. It's important that people in the community participate in these processes and we are grateful to you, sir. I trust that you'll keep in touch and advise us further of any new insights into the legislation as you see it.

Mr Hogg: Thank you. I'd be happy to leave this behind if somebody would—

The Chair: Yes, sir, please. The clerk will take that from you.

We will be resuming at 2 o'clock this afternoon. The auto insurance committee meeting resumes at 1 o'clock. They're in committee room 1 down the hall. Members of the public are invited, and indeed I encourage them to attend. The future of a whole lot of people in this province hinges on the government doing the right thing in that regard.

We will return here at 2 o'clock on the legislative channel and we will have a brief subcommittee meeting. All members are encouraged to attend the subcommittee meeting. Thank you kindly, people.

The committee recessed at 1159.

AFTERNOON SITTING

The committee resumed at 1400.

The Chair: Good afternoon. It's 2 o'clock, which is when we're scheduled to resume, so we will. These are public hearings, taking place at the Legislative Building, Queen's Park, in the Amethyst Room. The public is entitled to attend here and indeed is invited to attend here.

LONDON CHAMBER OF COMMERCE

The Chair: The first participant this afternoon is the London Chamber of Commerce. Gentlemen, please tell us your names and your titles, if any, and proceed with your comments. We have 30 minutes. Please try to save the last 15 minutes for questions because the members of the committee will undoubtedly want to engage in dialogue with you. Go ahead, please; your names and titles.

Mr Ed Holder: Thank you. My name is Ed Holder. I am chair of the board of the London Chamber of Commerce.

Mr Jim Thomas: I am Jim Thomas. I am the vice-chair for policy for the London chamber.

The Chair: Go ahead, please.

Mr Holder: Thank you very much. We certainly appreciate this opportunity to speak to all of those assembled to make our comments with respect to Bill 96, An Act to establish the Ontario Training and Adjustment Board. We have provided for your interest our formal comments and certainly would invite any comments or questions that you have after.

The London Chamber of Commerce is pleased to have this opportunity on behalf of our members and the London business community to speak to the proposed establishment of the Ontario Training and Adjustment Board and the associated network of local boards.

The London Chamber of Commerce has 2,400 members representing 1,000 firms with a total employment of approximately 60,000 persons. The chamber has been in operation for 135 years and has acted as a voice for business in promoting policies that encourage the development of business, and therefore employment, in our area. We are keenly aware of our members' needs in both small and large businesses.

The London chamber welcomes serious discussion about improving the relevance and effectiveness of Ontario's publicly funded training programs. We agree that current publicly funded training programs in Ontario require revision to meet the changing business environment. Now, approximately 40 programs are administered by 10 ministries. Many programs are jointly funded by federal and provincial governments. The existing programs have developed over the years to serve narrowly defined training needs of specific industries or groups of workers. These programs overlap in some areas and completely miss groups in need of training in other areas. The result is a training system that is complicated to access for employers and employees, is driven by too many conflicting agendas, is bureaucratic and inefficient, and is inflexible in meeting emerging training needs.

Privately funded training has not been uniformly successful. While some employers have invested substantial funds in training employees, others have invested nothing. Some employers continue to rely on their ability to hire qualified

employees from the labour market rather than investing in training and upgrading of their own employees. In contrast, some employers develop individual training plans for each employee and invest heavily in training, with on-the-job instruction, in-company classes and seminars, and subsidies to continuing education. At some progressive manufacturing companies, when equipment is being given preventive maintenance, employees are being trained and given skill upgrading. Other employers have less extensive programs but provide on-the-job training.

It is important to remember that workplace training does not exist in isolation from our formal education system. Successfully establishing a lifelong learning culture depends in large measure on the effectiveness of the job done by our elementary, secondary and post-secondary educational systems. In our opinion, that job has not been done very well.

At the same time that training in Ontario has developed into a patchwork of programs and individual private initiatives, the educational system has produced results that are unsatisfactory. Our dropout rate in Ontario is a national embarrassment. Math and science achievement levels of our students are poor at best. Levels of functional illiteracy are unacceptable. Our educational system is in such sad shape that the Ministry of Education is even afraid to have students tested to establish a comparative measure of achievement. Employers seeking to invest in training find that they must often take on the task of teaching both math and reading literacy before they can start job-related training.

There is no question that change is required in training in Ontario. Any change must be well thought out, not cobbled together to meet short-term political agendas. Change must bring efficiency and flexibility.

Against this backdrop of need for change, the minister has introduced An Act to establish the Ontario Training and Adjustment Board.

We have fundamental concerns regarding the OTAB structure as outlined in the bill. The proposed model for representation of "workplace partners" is wrong. The poor communications surrounding OTAB and the rush to establish OTAB make us deeply suspicious of the Ontario government's true agenda. That suspicion is magnified by the fact that almost the only part of the local boards that the provincial government seeks to mandate is the flawed model for representation of the workplace partners.

We believe that the basic structure of OTAB is wrong. Business is underrepresented and non-unionized workers are not represented at all. On the governing body and in each of the councils outlined in the consultation paper, business is given roughly one third of the positions. This should be at least one half. Further, workers are only represented by unionized representatives despite the fact that in the non-governmental sector of the economy, unionized workers only represent approximately 20% of all workers. The reason for this is usually stated that because the remaining 80% are unorganized, they do not have any formal voice. This is at best an excuse by the government to be lazy.

There are numerous non-union firms that have established communication systems for gathering the views of their employees, and such systems can be used to identify representatives of non-union employees with interests in training willing to serve on an OTAB or local board. The very least that could be done is to place newspaper advertisements requesting interested individuals to apply. The government has no problem in mandating representation in non-union environments for activities such as safety committees. Surely the same creative approach can be used to identify some interested worker representatives in the working community at large. The government needs to be creative and develop these alternative representation methods. If not, the OTAB structure is doomed to be non-representative and therefore a sham.

Further, the design of the governing body based on the 8, 6 or 7 formula is a recipe for administrative gridlock at best, or quibbling among the representatives, that will not produce the high-quality training initiatives required, demanded and expected by employers, employees and society as a whole. This structure needs to be rethought and revised through serious and meaningful consultations, not the type we have seen to date.

We believe it is incumbent on the Ontario government to identify clearly the efficiencies and cost savings that will be the result of establishing OTAB. The Ontario government's plan to establish OTAB as a self-directed, independent body gives employers serious concerns, especially when the best example of this type of structure is the Workers' Compensation Board. Despite its "independent" status, the WCB is a bureaucratic maze of truly legendary proportions and has the distinction of challenging the Ontario government for top spot in deficit financing. It currently carries an unfunded liability of approximately \$11 billion and certainly seems to be out of control.

We're deeply concerned about the methods by which OTAB will be funded. The fact sheet accompanying the OTAB bill suggests that the bill will cause "increased employer investment" in training. If this is intended to mean a training head tax or employer levy, it will not result in increased employment but job losses in already overtaxed and overregulated employers.

We urge the Ontario government to identify the cost savings and efficiencies anticipated by the establishment of OTAB before proceeding further. The government must outline its plan for financing OTAB before any further plans are made for OTAB. The basic structure of the OTAB bodies should be changed to be truly equal with business and the other stakeholders.

Mr Thomas: That's our formal presentation. We have some concerns specifically with regard to the structure. We believe that the OTAB structure is inappropriate, the business interests are underrepresented and we think that you need to take a serious look at the representations of workers on the OTAB bodies. The non-union workers are not represented appropriately. We think there are methods by which you can find representation for those people.

The Chair: Thank you. You've left approximately six minutes for each caucus. Ms Witmer, Labour critic for the Conservative Party, please.

Mrs Witmer: I wonder if I could step down my questions. I know that Mrs Cunningham from London—

The Chair: No problem. We'd be pleased to hear from her after we start with Mr Sutherland and then Mr Wilson.

Mr Sutherland: Thanks for your presentation. I just want to outline a couple of things that were in your formal presentation and make some comment. On page 2 you mention the sad shape of our education system and that the ministry is "afraid to have students tested to establish a comparative measure of achievement." I think that needs to be corrected in that Ontario is participating in the National Indicators test and has also established its own system of measuring achievement, the Benchmarks program.

You mention the rush of this. Some presenters have said that they want to slow the process down, but we have had several presenters as well who've said, "Get on with the process," that it's taken too long.

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You also mention that there weren't serious and meaningful consultations in this process. I think it's important that everyone understand what type of consultation process has gone on.

First of all, the initial idea came out of the Premier's Council on skills development, which looked at other jurisdictions and had a broad range of representatives on that. Then in the establishment of the actual board, you've had steering committees for the different partners, different groups, that are going to be involved with the establishment of OTAB. They've been able to consult within their communities as well.

There have been discussions. There was the discussion paper that was put out, Skills to Meet the Challenge, a very wide range of consultations on that, and then of course the joint consultations regarding the local board issue, which still has to be resolved.

So I just wanted to lay those things out, that while you've made those points there are some who think we need to move faster and that there has been extensive consultation.

Having a little bit of familiarity with the London chamber, being active on one of its committees when I was a student at Western—and there seemed to be a great interest among many people on that committee; you had a lot of educators who were members of the chamber, who were very involved and concerned about training issues—I wonder how you see the London chamber playing a role in actually having input in terms of how the business composition will be decided on the actual board.

Mr Thomas: I'd like to respond to that. But let me first talk about the consultation process and the perspective of the London chamber as a participant, as an employer, in the consultation process. We've been involved in a number of consultations over the years of a variety of legislation. This is perhaps the most confused consultation process that I've ever seen personally. The chamber had extreme difficulty in finding out details. Most interested and actively interested participants had a difficult time finding out details about the consultation process.

When the consultation process came to London, which is a major employing area in the province, they anticipated that maybe 50 or 70 people would want to speak. The room was filled with more than 250 people. They couldn't fit the people in the room. Individuals were given five minutes to respond.

The chamber itself had a detailed response that in no way could have been dealt with in a five-minute period of time. We understood that. We were prepared to offer a written response in detailed fashion and a brief summary verbally. We were given five minutes to respond with regard to the consultation on OTAB, at the end of which the chairman of the committee waved his handkerchief to let people know that the consultation was over.

This is such an overwhelming issue for the Ontario economy, it seems to me that an organization representing 60,000 employees in the area can be given more than five minutes and waving handkerchiefs at it. I think it's a disgrace that the consultation process went on that way, and the government is not serious about its process if that's—

Mr Sutherland: But that wasn't the only—you had opportunity to submit written submissions with other groups.

Mr Thomas: We did, in fact.

The Chair: One moment. Do you want to kill those mikes for a second? I'm indifferent as to whether or not two or three or four people talk at the same time. However, the translation people, who work really hard and are very, very talented, notwithstanding that talent, have some difficulty when people interrupt each other. Go ahead, please.

Mr Sutherland: My apologies.

Mr Thomas: We believe, with all respect, that the consultation process is flawed and needs to be revisited at best. Our deepest concern is with regard to the area of representation. We think that the representation issue is flawed. We see other models that have been used where we have this kind of equal representation with unionized employees and employers operating in a gridlock fashion. You take a look at the health and safety organization and it's in a total disarray. It should have done its task by now and it hasn't. The model for consultation and operation of a body like that is wrong. It doesn't work. You are about, under this legislation, to replicate that model and it will slow down the implementation of training in Ontario even more. It is an issue of supreme importance to be competitive in this economy and we see it being botched and we're giving you our advice on it.

Mr Holder: The other practical concern, and Mr Sutherland made some reference to it, certainly has to do with the education system. You can't look at skills development without looking at education. There is nothing more appalling than in excess of one third of our kids here in Ontario not graduating, and those who graduate, the practical question is, what do they come out with? To the extent that we have to address that issue, and I appreciate that may not be the purview of this particular committee, let me suggest to you that has to be the backdrop of all this.

We're not coming into this in any adversarial capacity. That is not our objective. To the extent that you're looking at trying to put some focus and some organization to the array of programs in all the different ministries, we applaud that in general terms.

Having said that, it is also crucial that this be done right, that this be done effectively, that this be done with not just the notion of cost saving, because we would assume that there are going to be some efficiencies associated with this process. We'd like to believe that there are. But the other side of it is, what do we get as the end result? Do we get people who are able to come out past the year 2000 with reasonable skills?

When you look at the advanced technological age that we're in right now, what we're looking at in Ontario, we believe, is our very survival. To the extent that you address this and do this right, you can be champions and heroes. To the extent that you screw it up—forgive the reference—then I'll tell you that's a legacy we leave to our kids and I'm not sure that I want to wear that mantle if we don't do it properly.

The Chair: Mr Wilson, briefly, please.

Mr Gary Wilson: I just want to say that I think the presentations we've heard have emphasized how important this endeavour is, but we still are hearing that there's a lot of confidence that we have arrived at a model here. We have heard representatives from business. The Ontario Chamber of Commerce, for instance, was on the steering committee for business and has had a lot of input into the discussion and what has come out of it. Again, it's this idea that by getting the major labour partners on the governing board, sharing the responsibility of coming up with the programs with government, that is the best model that will address the very real concerns you've mentioned.

You mentioned something too about where the money is going to come from. I just want to point out something. Last Thursday it was reported that Allan Taylor, the chairperson of the Royal Bank, said, "At present only a third of Canadian companies provide any formal training, mostly for upgrading the performance of managers rather than front-line workers." I think that's the idea, that once the focus is on training and what kind of programs are available, then how to meet the expenses and make sure that all workers are covered—that's what we're after here.

Mr Thomas: Let me respond to that. I want to re-emphasize what our chairman of the London chamber, Ed Holder, has said, that we applaud the notion of taking what is a bureaucratic mess, the current training system, bringing it into a one-stop shopping affair and focusing on the issue of training. We believe that's right and it's the right thing to do. We just want to make sure that the details of it are the right way to go about it as well.

Let me say with regard to labour partners that we also believe that labour partners and users of training need to be appropriately represented at the OTAB table. That means appropriately represented. It doesn't mean disproportionately represented either.

I have some difficulty, particularly taking a look at the representation of the designated employment equity groups, saying that only one person can represent women, only one person can represent the disabled. What kind of women are we talking about? Are we talking about farm women? Are we talking about women who work in the factories, in the offices? There is a whole wide range of people who need to be represented beyond a designated representative. We think a wider representation is required.

The Chair: If you would be very brief, Ms Murdock, please.

Ms Sharon Murdock (Sudbury): Actually, we touched on it a little bit in terms of the representation aspect. I'm with the Ministry of Labour and in terms of the health and safety agency and finding employer reps who represent their employer groups, there is a problem in that you get an employer—I'll take mining—who is used as a representative who makes an agreement or whatever, consensuswise, then goes out, and everybody's thinking that's what's going to work, but when they get out they find out that the Canadian Manufacturers' Association isn't in agreement.

We have a problem in that aspect, because that carries forth into the non-organized worker aspect as well and who are they representing? I know you've mentioned, both in your brief and orally, that you have models or that there are models for which non-represented workers could be chosen and I'd be at least interested in hearing about one of them.

1420

Mr Thomas: Certainly the people in organizations like Dofasco have a method of dealing with employees. They have employee representatives. It's a non-union environment. The same process can be used in that fashion. We could do advertising in the newspapers to find out employee representatives who are worker representatives, user representatives who are interested in the training issue, who are non-trainers, non-managerial but representatives of an area.

Mr Offer: Thank you for your presentation, because I think you've brought forward an issue that we really must look into. It's called, right in your recommendation, cost saving and efficiency. The reason I bring this forward is that we had requested information from the ministry telling us what are the training programs now provided by the government and who provides them. We've got that information.

I think you should be aware that, if one just does a quick addition, there are 44 training programs provided by the government. What one sees from this OTAB project briefing note is that with OTAB only 22 of the 44 may go to OTAB. In other words, 50% of the existing training programs may not go to OTAB. Of the remaining 22, it is interesting that 17 are now found within one ministry. This bill is devoted to five programs in some other ministries.

I think the question you've raised is if that is the purpose of OTAB. I think the argument is that it's already been done. I mean, 15 of the 22 programs are already within one ministry. They are centralized. There are only seven programs that require to be put into the Ministry of Skills Development. The question and the comment I have is that your concern with respect to cost saving and efficiency is one which I believe is extremely valid when one looks at the information that's been provided by the ministry itself.

My question, after that comment, deals with your presentation on funding. In fairness, you speak about private sector training. It seems that on the first page you're saying it's not very fair. There are some that invest a little bit more than others. There are some that don't really put time, effort and dollars into training. But then, when you move to funding, after acknowledging this inequity you say, "We don't want a head tax or an employer levy." I can understand why you

don't want that, but what I would like to ask you is, based on your presentation where you have acknowledged inequities in the system, what is it that should be done in order to equalize this issue of training funding?

Mr Thomas: One of the attractive notions to the idea of an OTAB is that it could be a one-stop shopping arrangement, that you could take all training activities in the province and that employers and workers and other training users would know where to go to access publicly funded training activities. That would be delightful. If that's not the case, then we are misallocating resources.

We believe that if you do consolidate those activities, there should be some efficiencies of scale, that those funds could be redirected to training, and more generic training as well. We think that may be a method of getting at it. Until those costs are put together and we can examine what the savings are that can be better directed towards training, which we deeply need, then I don't believe it's appropriate to be looking at any kind of additional levies or taxes.

Mr Offer: You're saying that the efficiency of going into one area for training may save dollars that could then be used to equalize the funding.

Mr Holder: There are two components to that. There's certainly the logical assumption that you would save dollars. But now put yourself in the hands of the user, and users are the employees who will benefit through this process and the employers who will obviously benefit by having better-trained staff—again I want to address this to the government as well as to the opposition members—to the extent that you put this into the hands of small businesses, medium-sized businesses and large businesses and say, "Here's an opportunity for all of you, make it practical, make it usable, make it work," it's all our futures we're talking about.

That sounds like a very human element, but that's what we're talking about here, the ability to have smaller companies and medium-sized companies, make this user-friendly, and that's not just a colloquialism. Make it such that if you go to one organization, one ministry, what you then do is cut through it all.

As a chamber of commerce, one of the biggest concerns we have on behalf of our members is that people often don't know where to go. "Do we go to Ontario skills? Which ministry do we go to for this or that program?" It's a monster out there. You've taken great steps by trying to address it. Clean up the detail work, make this work, and I suggest to you that the government will be well regarded by putting real focus to this through one ministry, and we suggest all the programs.

The Chair: I want to welcome the presence of a representative from the chief government whip's office. Welcome to the committee. Sometimes I feel like I'm in one of those Jimmy Cagney movies where I should put a mock-up of myself here because if I slip out to the auto insurance committee, it's certainly being noted, but that's par for the course. Mrs Cunningham and Mrs Witmer.

Mrs Witmer: Thank you very much for your presentation. I'd just like to set the record straight. Mr Wilson alluded to the role of the chamber of commerce in the discussion. The chamber was here, as you know, and these were the comments of the Ontario Chamber of Commerce: "The government

should be congratulated for addressing the training challenges that currently face this province....the OTAB concept....put forward in the original green paper was stimulating and thought-provoking.

"Unfortunately, the OTAB legislation represents one way of how not to solve the province's training problems. The more we look at the current OTAB proposals and work through the actual processes by which the decisions will be made regarding publicly funded training in the province, the more we are convinced that they are inherently flawed."

They go on to say, and I'd ask you to comment, "The initial driving force behind the initiatives that led to the OTAB process was based on the observed needs of the private sector, yet the bill before us today has lost sight of this basic, fundamental objective."

I'd like to know if you agree and, if so, how can this bill be changed in order to remedy that? What amendments could the government introduce?

Mr Thomas: With respect to the issue of representation, the people who are most heavily affected by the whole issue of training are the employers and its users, the trainees. We think more appropriate representation is the first step in defining what's required for training. The notion of one-stop shopping and the resulting cost saving is attractive to the OTAB notion that exists now.

Mrs Cunningham: It's certainly interesting to have representation from your own community, but I just have to let my colleagues on this committee know that the London chamber works very hard and presents I think all of the elected members within the riding of London, certainly the three of us in Middlesex, with good advice. You're not alone; we had the Hamilton chamber today, and it was making the same observations.

We had a representative last week of one of the groups. He happened to be a private trainer, but he seemed to know an awful lot about training around the world. He said that within Ontario today, rather than setting up this separate agency, we actually do have a training structure. He mentioned Skills Development as being the arm of government that could not only identify needs but could find the appropriate trainers, whether they be public or private sector, and then he mentioned the local training boards. He was rather vocal, I think, in his opinion on not setting up another bureaucracy.

I'm wondering, from your own experiences, if you think that he has any sort of validity to his observations or whether it's a cross between what we've got now and this training board that's being set up with regard to the cost and the size of the bureaucracy.

1430

Mr Thomas: If I can respond to that, there are a number of workers and employers who currently make use of the skills development office to set up training programs, and many of them are happy with the programs they've been able to obtain that way. The local training committees, likewise, in some locations have been effective in developing training programs.

The problem for many employers is that they're not uniformly successful. Some areas of the province have very good training committees, local industrial training branches,

and some have good representation on that. Others do not. What we need to do in Ontario is have some consistency in that approach. Many employers, despite the existence of these two other organizations, find the bureaucratic limitations of those processes so overwhelming that they choose to go through private training instead, because they can more directly access the skills that they're looking for.

The Chair: I want to thank you and the London Chamber of Commerce for taking the time and travelling to Toronto to appear in front of this committee and share the views of the London chamber with the members of this committee. You perform an important role and a valuable one for the committee by participating in this manner. We are grateful to you for taking the time and demonstrating interest, and to you, Mr Thomas and Mr Holder, we express our appreciation, trusting you'll be keeping track of the legislation. Of course, a transcript of your attendance here or a videotape of it is available through your MPP's office. We trust that you'll keep in touch. Take care and have a safe trip back home.

BROCK UNIVERSITY

The Chair: The next participant is Susan Wheeler. We've got your brief written comments. Those have been distributed and will be made an exhibit and thereby become part of the record. Please try to save at least the last 15 minutes for exchanges and questions from the members of the committee. Tell us who you are and proceed with your comments.

Ms Susan D. Wheeler: My name is Susan Wheeler. I'm the special need coordinator at Brock University. I'm very interested in the information and the initiatives that I've read so far concerning OTAB and I felt it was necessary for me to voice my concerns and ideas that might facilitate and create some new initiatives.

I bring today two very clear perceptions, one from my experience of living life with a disability and one from my experience as a professional who coordinates accommodating services for university students with disabilities. The focus of my presentation concerns, as is indicated in the handout, the access and equity to training and employment opportunities that is indicated in the OTAB information.

Prior to acquiring university training myself, I worked for 12 years in the private sector in positions that we defined as unskilled. During those years I found my most frustrating disability was my ambition. It seemed that the doorway to further opportunities for training or upgrading was permanently locked.

After several years of working at two jobs and investigating the social service system, I discovered that I in fact qualified for assistance to attend post-secondary education, which has helped place me in a productive employment position that draws upon my strengths and abilities as opposed to staying behind in the unskilled positions which drew upon my weaknesses.

From both my personal and professional experiences, I know all too well the difficulties that arise from information overload. The amount of complexity of information concerning disability and accessibility can be overwhelming, as the gentleman indicated earlier, the wealth of information concerning different training opportunities and how people to sort through what's best for them and what is available.

Individuals with disabilities, I find in my work, generally are not aware of the array of services and/or technical aids and devices available to reduce the effects of their disabilities. Nor are they aware of (a) how to acquire this information and (b) how to coordinate or piece services together.

In my position at Brock University as coordinator for services for students, the focus of my role is to assist individuals with special needs to discover the most advantageous accommodation and aids for their learning success. Also, my role is to educate the faculty and staff to enhance their awareness and identify the necessary administrative adjustments to reduce existing barriers. I usually refer to those as unintentional barriers. For example, if a student is able to participate in only three courses, he's considered a part-time student, but that may be his full-time potential based on the limits of the disability. Usually that would exclude them from many full-time services such as health services, scholarships, things of that nature. My role, then, with the administration is to encourage and widen the parameters.

A special need coordinator is a relatively new position in the education system but certainly has proved to be essential to facilitate the necessary services for students. Essentially, I believe it's not reasonable to expect that the education system should understand the many components of disability and social service systems. I feel that the coordinating position, in effect, bridges those gaps. I also think it's not reasonable to expect employers and labour market trainers to coordinate that same kind of information.

I was pleased to read in the OTAB paper that providing information alone would not be sufficient. Simply providing employers potential training initiatives of the types of devices or different supports available for students or individuals, adults, with disabilities would not be sufficient. I think it's reasonable to assume that businesses are not in business to support social values.

"Disability" and "accessibility" are ambiguous terms and I feel can only be defined effectively in the context of individualism. If we agree, as is stated in the OTAB paper, that the investment of human resources is our greatest asset for economic growth, then let's invest wisely now and unlock potential opportunities for all citizens of Ontario to grow. After all, if our economic stability is based on the theory of survival of the fittest, what we need to realize is that "fittest" has been redefined and is no longer based on the premise of physicalness.

What I'm saying is that I feel there's a need to have an agency, whether it be a consulting source or an actual part of the OTAB initiative, that works to facilitate the necessary needs for the individual with a disability who might be in a retraining situation as well as to facilitate the trainers and the employment side to bridge that information. I think it's overwhelming to assume that we can know all things, both parties. I also think it's important to have a source who is working in the interests of both sides.

As I came in, I heard the chamber talking about cost efficiencies—I think if the intermediate source could be available to understand the nature of both concerns, both sides, the need for the training situation to be cost-effective but also to be comprehensive enough to meet the needs of the individuals.

1440

The Chair: Thank you. We have, once again, six minutes per caucus. Mr Wilson, please.

Mr Gary Wilson: Thank you, Ms Wheeler, for your presentation. It certainly has raised some questions in my mind. First of all, how long have you been the special need coordinator at Brock?

Ms Wheeler: Just about three years.

Mr Gary Wilson: I see. Has there been much of a change in your activities over that time?

Ms Wheeler: I started the service, so there was no special need coordinator before me. Essentially, there have been tremendous changes because it's a ground-floor kind of thing. But the changes have been primarily in the number of students who have accessed services. I think it's safe to say it's not that there are more disabled students attending Brock but rather that there's somewhere for them to acquire some services.

Mr Gary Wilson: You mean just having that service available has attracted them to it?

Ms Wheeler: To come forward, yes.

Mr Gary Wilson: I see. How do you provide your services? What kind of outreach—I must say I'm asking these questions because of course there is a representative on the OTAB governing board representing people with disabilities. I'm interested to know how the outreach part of that would work so that they can do the job properly. I was just wondering, in your setting, how you go about that.

Ms Wheeler: In terms of marketing and letting them know where they are, that kind of thing?

Mr Gary Wilson: Exactly, and I guess making sure that you meet the needs of the people who need the service.

Ms Wheeler: Certainly, there's the marketing aspect in terms of the literature and things that we make available all around the campus and through our liaison office, and discussions to high schools and things of that nature, but also in the administrative process.

For example, if a student is applying to Brock, then it is indicated on the application, "Do you wish to identify that you have any special needs?" which then alerts me that they're coming. We encourage them to make a preliminary interview with myself, at which time, as I've indicated, many students do not know what's available for them. They're not sure of what their need is because they can't know what they don't know.

Mr Gary Wilson: Do you have any kind of advisory group in operation?

Ms Wheeler: Yes. We have an accessibility committee which sort of tries to improve campus accessibility. But the advisory group is primarily myself and my colleague Janet Johnston, who will be speaking next.

Mr Gary Wilson: I see. I was wondering then what you foresee coming out of an organization like OTAB, the fact that it's a needs-driven kind of operation that allows the people who need training to take a great part in thinking about training issues and providing for the needs that are there. Have you some comments about that?

Ms Wheeler: Yes. My comment on that is that I feel, from my own personal experience of managing life with a disability, that my arriving at the position I'm in has been a result of my own ambition, but that ambition was certainly strongly in place when I was in the mail room. Had there been any training type of situations available through either a business or wherever it might be that I was working, I certainly would have come forward for that.

It would have been more advantageous if the services were available for me to allow my true potential to come forward. For example, when I attended university, I did not know what it was I needed to physically make those gaps. I write with both hands, as an example, and my writing time kind of runs out. While I was at university, maybe in my third year, I suddenly discovered using a computer for exam purposes, and my marks increased considerably. It's too bad I didn't have it the first two years.

Those are the sorts of things; I work with the students in really helping them look at their disabilities and the limits they have placed upon them and what the creative ways are in which we can compensate for those physical disabilities, so that their true potential—I always say to them, “All I want to do is get at your true academic potential.”

Ms Murdock: In terms of your job for the past three years and also in terms of the last paragraph of your written presentation, are injured workers included in the disability portion when you look at the disabled or the disability the person might have? Do you include injured workers in that category?

Ms Wheeler: I certainly think they should be, because many of my students are in fact students who have been injured and are now pursuing something new; for example, somebody who was a bricklayer who has been injured now has to acquire some other type of occupation.

Ms Murdock: So you would make no distinction between those disabilities which are permanent and those disabilities which could perhaps not be permanent?

Ms Wheeler: What I would define as a disability would be any physical problem that's inconveniencing their employment situation.

Ms Murdock: The last question I have: “An intermediate source to bridge existing gaps to facilitate a workable transition.” You've obviously thought about this to a great degree. What kind of intermediate source would you suggest?

Ms Wheeler: Quite frankly, I'd suggest someone like myself who understands both sides of the coin. I have experience working in the private sector, I have opened my own businesses and things like that, so I understand those sides of cost-effectiveness, but I also understand the sides of disability and what those differences mean.

Mr Ramsay: Ms Wheeler, thank you very much for your presentation today. Your last paragraph talks about having an intermediate source of information to bridge the existing gaps that are out there. You also said it would be necessary for OTAB almost to have a unit within itself to assist people with disabilities, to help them overcome learning difficulties, because you said it can be quite complicated for the different disabilities and for different types of skills to be learned. There probably needs to be some work done on how to help people. I was

wondering if you had any ideas on how that would be established or who would be on that, who would be in charge of that. Do you have any sense of how that should operate so it would best serve the people you represent?

Ms Wheeler: In terms of the funding?

Mr Ramsay: All of it.

Ms Wheeler: It certainly should be part of the planning and funding mechanism to have the funds available for such an intermediate source, because I think in the long run it would prove to be beneficial for both sides: to not be overly expensive but also to make sure that we don't disregard this human potential, who certainly could be productive members of society.

In terms of your question on the learning, I think the next presentation will speak to that very sufficiently.

Mr Ramsay: Just one little, short question: You had said you had finally discovered that there was some financial assistance for people with disabilities to attain further skills. Could you give me the name of that program, what that might be that you were able to access?

Ms Wheeler: For myself, it was through the vocational rehabilitation services.

Mr Ramsay: Of the Ministry of Community and Social Services. That, at this time, is a program that will be reviewed further to see whether that would go under OTAB. My colleague has brought up the point that, of the main existing skills programs that are in the various ministries, only half at the moment will be going to OTAB. That's one that right now would not be going there. I think you bring a very good point: If you're going to bring things together, you might as well bring it all together to service everybody in the community. That's what you're saying?

1450

Ms Wheeler: Yes. Essentially, that's what I'm feeling. The gentleman earlier said something about one-stop shopping. I think a brokerage type of format would be very useful for individuals with disabilities and for individuals who don't have disabilities. I feel this way because often-times what happens for many of the people with disabilities, such as myself, is that there are cracks between the boundaries: I may in fact be eligible for this part of the service but that eligibility in turn makes me ineligible for something else I might need. So it would be far better to have something that would be more holistic that could encompass the person's entire needs.

Mr Ramsay: Just a closing comment before we go to my colleague. It seems strange to me that we make the effort, because we understand the need, to have a person on OTAB to represent those with disabilities, yet we don't put into OTAB the programs that are there to serve people with disabilities. It seems kinds of nuts, actually. It's a good point.

Mr Offer: I'd like to carry on with Mr Ramsay's line of questioning. I have a concern that we have this OTAB project briefing note which indicates how many training programs are out there—44—and that only 22 will go potentially to this OTAB organization; and of those 22, I think it's important to

remember, 17 are now in one ministry, that there is a centralization for 17 of the 22.

I am concerned after hearing your presentation, because I agree very much with it, that we may be creating greater confusion. What training program is now with OTAB? What isn't? If it isn't, why isn't it? Where is it? Is there a priority? The real fear I have is, is there going to be a priority placed by this government on those training programs in OTAB against those that just haven't fallen inside it? I have a concern about that, and it's really based on your presentation and the concerns you have as well as the briefing note we have.

You are a special needs coordinator. Could you help me? If someone comes to you looking for some training, what is it that you do? What do you advise them?

Ms Wheeler: I'll use myself as an example, an individual with muscular dystrophy. I may approach the special needs person and say, "I'm going to be coming to your university and I'm really not certain what I should do with my life." I would work with the person. Let's have some disability counselling, as I would term it; let's be realistic.

One of the things I feel very strongly about is that I like to look at the disability and help the person turn the obstacle into an opportunity, like myself. As I sit here today, I say to myself that I did the right thing, because suddenly my disability is now my best asset. I try to help people find ways to do that, not necessarily the same way I did.

For example, regarding the bricklayer I spoke about, that's all he did for 20 years, and now here he is: He's got an injury and needs to change, yet that's all he wants to do. So I said to him, "Let's work together for a little while and talk about what it is about bricklaying that interests you." It was actually the designing of the building, so then we looked at, "Let's think about drafting and things like that," and that got him on a different train of thought—he had thought in that way for so many years—so that's the sort of thing he's doing now. The other pieces of the picture I would work with would be that he's having difficulty with his fine motor movements, so we need to find alternative ways to help him take lecture notes, have a note-taker do it for him; he uses the computer for his examinations, and they provide him with extra time to do that; all those sorts of things.

Mr Offer: It seems we need a little less OTAB and maybe more like you.

Ms Wheeler: Thank you.

Mrs Witmer: Thank you very much, Ms Wheeler, for an excellent presentation, certainly an interesting one and one we need to give some special attention to. It's rewarding to hear that universities are recognizing the need for individuals such as yourself. They certainly do fulfil a very important role. I know that at times they have been behind the elementary and secondary school systems, where there's been the recognition up until now.

I was interested to hear your presentation, particularly how you've been able to help other individuals who have faced the same challenges you have. I guess the question I would have for you is that we talk about this OTAB and the need for this one-stop shopping, as someone earlier indicated, and I guess that is an appropriate name to give it. How do you propose that the training would be provided? The issue of

whether it be private or public seems to be of concern. At present, as you know, the public sector provides training, but the private sector does as well. Do you have any opinion as to how that training should be handled?

Ms Wheeler: I have some ideas. One of the things that I think is really important is that OTAB potentially has the opportunity and, I feel, the responsibility to really set the groundwork for employment equity that Bill 79 is certainly moving along.

In terms of creative ideas that might facilitate the training, whether it be private or public sector, it is to offer incentives to do so. For example, where employment equity is encouraging people to show initiatives, where they are now planning and incorporating people with disabilities in their businesses, if in the training situations they provided an access from the intermediate source to facilitate that process, that could therefore be seen as an initiative in action, so it could go on the balance side of fulfilling their requirement in employment equity initiatives.

Mrs Witmer: So you don't have a preference? It's whoever could do that job most effectively?

Ms Wheeler: Yes. I think there need to be some tradeoffs, a situation where it's win-win for both sides.

Mrs Witmer: What about the composition of the board, the representation? We've had people come in and express concern about the composition—as you know, it's eight, eight and six—and also concern about whether there be a double majority or a triple majority when it comes to decision-making. Have you given any consideration to those issues at all?

Ms Wheeler: When you say a double majority, could you give me an example?

Mrs Witmer: When people spoke about a double majority, they were talking about the business and the workers agreeing. When they talk about the triple majority, they're asking for the six equity groups as well.

Ms Wheeler: I don't really know how to comment.

Mrs Witmer: There is some concern that decision-making could be done and perhaps one of the groups could be totally excluded and have rejected the proposal. That's why there is the concern.

Ms Wheeler: I'm wondering if the intermediate source could be helpful also in that exercise, in terms of the decision-making and weighing things out and looking at things from more than one perspective.

Mrs Witmer: The concern was that if you take the equity groups, for example, there might be a decision that would be not supported at all by those groups; that if there were a majority within the business and the workers' groups, there's a chance your opinion might have been totally overlooked.

Ms Wheeler: Yes. I think it's a difficult one to balance.

Mrs Witmer: Yes, it is. If you have any further suggestions for us—I don't know if there's anything else you would like to see.

1500

Ms Wheeler: I guess the only thing that I would suggest would be to facilitate the intermediate source by designing

ways that are advantageous for all groups to participate in this endeavour.

Mrs Witmer: Have you given any thought to the OTAB vis-à-vis the local board? There's been some concern expressed as well that perhaps local boards might not reflect local needs and situations.

Ms Wheeler: Right, yes. I think that is important. In terms of my focus being towards the accessibility, I think it could be—for example, in St Catharines, we obviously are having a lot of difficulties, so there would need to be a direction to get a sense of what's needed. There needs to be a preliminary way to find out what we need now. Things are changing here for us. What sort of direction shall we move towards?

The Chair: I want to thank you, Ms Wheeler, for taking the time to attend here in Toronto at this committee. Your views were unique and interesting ones. You've obviously assisted this committee in the course of its work. We're grateful to you and we trust you'll keep in touch.

Ms Wheeler: Thank you.

The Chair: Take care. Have a safe trip back home to Niagara.

JANET JOHNSTON

The Chair: The next participant is Janet Johnston. Please have a seat. Tell us what you want to about yourself. Proceed with your comments. We've got your written materials, which will become part of the record by virtue of being filed as an exhibit. Please try to leave at least 15 minutes for questions and exchanges. Go ahead, ma'am.

Ms Janet Johnston: My name is Janet Johnston. I also work at Brock University with my colleague Susan Wheeler. I'm the learning skills coordinator there. In my position one of the main focuses of my job is to deal with students with learning disabilities.

I came to Brock University after having spent 11 years in Edmonton, Alberta, where I worked at a community college, also running a program, a support service for adults with learning disabilities. In my position in Edmonton I was dealing with students who were at the literacy level. The majority were in academic upgrading programs of some sort. I feel I have a broader perspective of training programs in attending to the needs of the learning-disabled at both the lower levels of upgrading and also the university level. I think I have some consistencies that I found in that population and some differences as well that I think are important to highlight to this committee in the hope that the needs of the learning-disabled might be addressed in some manner, at least taken into consideration.

I guess I should start from the handout that I gave. I'll just use that as a guide here. You can spend the entire time talking about the definition of what a learning disability is, but basically I define it as just very large differences between a person's learning strengths and learning weaknesses, so that the weaknesses constantly get in the way and prevent individuals from being able to demonstrate their strengths. That's the root of the frustration, to have the ability and not have it realized because the weaknesses seem to keep getting in the way.

What I've done in terms of—I'll hold off on that for a moment; excuse me.

Why I think OTAB should take the learning-disabled population into consideration, why I think it's paramount is the large number of learning-disabled adults who are in the population; 10%, I believe, as I've cited in the handout, is an underestimate. Most adults with learning disabilities have never been identified before. When they're not identified, they don't know why they're having difficulty in different learning situations. They don't know what it's attributed to. Oftentimes, they tend to attribute it to lack of ability generally, not trying hard enough, a lot of things that they've heard throughout their school history that have influenced them to the stage they're at when they are adults. One of the most important things I've seen from that population is the passivity very often; they feel they don't have control over their own lives. They didn't have control over their own learning situation, over their own learning needs being addressed.

I think that if OTAB is looking at the unemployed or the underemployed and trying to upgrade skills, one population that you're going to be dealing with, whether recognized or not, is the learning-disabled. I think it's important that support services be put in place to assist the learning-disabled in being able to function. There are services that are workable, that help learning-disabled adults to take more control over their learning, and there are several steps that are needed in order to do that.

I recently came across an article in the *Journal of Learning Disabilities* in October 1992 which looked at identifying alterable patterns in employment success for highly successful adults with learning disabilities. What they cite as the difference between those adults with learning disabilities who are successful and those who aren't is the ability to take control over their own life. How that control happens is, first of all, to recognize that the root of their difficulty stems from a learning disability, to accept that, to interpret it in a positive way so that they can see themselves as having strengths as well as weaknesses and then to move beyond that to an understanding of how they can creatively think of alternate ways of accomplishing the same task so that they can meet the same goals although how they get to those goals might be completely different for a person with a learning disability.

The support services, then, would need to address the person in a holistic way so that those kinds of issues can be brought along with the introduction of various educational strategies, different approaches to things, different ways to deal with reading, different ways to deal with writing, different ways to organize ideas, different ways of listening, all the skills that you and I take for granted or have minimal differences between. Those who have the larger discrepancies are facing bigger obstacles and require a knowledge of what those obstacles are so that they can have a sense of what's realistically open to them so that they can reach their potential.

In my work with the learning-disabled I've constantly been amazed with the level of creativity, the determination. I've also been very much struck by the history that they usually come with of not having had any sufficient support or service and the impact that this has had on their lives. As I mentioned previously, I think that there will be a lot of learning-disabled in the population that OTAB appears to be directing much of

its resources to, and yet I don't see the learning-disabled or support services like that mentioned in the papers, the information that I've read on OTAB. I would like to see those kinds of issues addressed.

The Chair: Thank you kindly.

1510

Mr Ramsay: Janet, thank you very much for your presentation. I really share your concerns. You know, when you look at the structure of OTAB, really a lot of people in society have been left out. You look at the workers' side; I was quite struck when you mentioned also people who are underemployed or unemployed. The representation is primarily geared for workers, because they're only coming from the unionized pool.

Primarily that's going to mean, in our province, manufacturing, the industrial sector and the construction sector. It really is addressing people who work and a lot of those people—it's going to be geared towards men because of that particular selection. "Oh, yes, we're going to have a woman on there; we're going to have a disabled person on there." It's almost like it's an afterthought rather than just look at the workers' side and make sure that on the workers' side it's a true representation of all the people out there in the workforce. That's fundamentally what's wrong with this.

Then when I look at the programs that will immediately be transferred to OTAB and look at ones that are under review, again those Ministry of Community and Social Services programs are ones they will be looking at. Again, they may go or they may not. Whether that's an afterthought I don't know, but the original intention is not to put them in there. So it's as if a lot of people in society have been left out with the establishment of this.

Ms Johnston: I'm not sure. I agree that a lot of people in society have been left out; I can speak specifically to the learning-disabled but I wouldn't recognize that as something specific to OTAB. I think there are no services now for the learning-disabled adult in the community. Having worked in the area on the two different levels in two different parts of Canada, I speak relatively confidently about that. There are no services in the community. There are some special needs services that address the learning-disabled just starting in post-secondary institutions.

I only introduced services for the learning-disabled when I began my position at Brock a year and a half ago. Before that, there was virtually nothing. So it's partly that the need for service is just being recognized as the awareness of learning disabilities grows, and then the need for an appropriate service is another thing. I think there's a dearth of service generally, so whether that would be in OTAB or be someplace else, I think the need needs to be addressed.

Mr Ramsay: But as you mentioned, this need hasn't really been addressed in any of the background material. If we're starting from scratch, something brand-new here, this is the opportunity—

Ms Johnston: Exactly.

Mr Ramsay: —through what we know now, to correct the sins of the past, if you will, the omissions of the past. Now's the time to make sure this is inclusive and that we get everybody as a player in this thing, because we're interested in promoting everybody in society to have greater skills so

that they can be able to take care of themselves. It's primarily for this.

Ms Johnston: Yes.

Mr Ramsay: We'll get everybody, literally and figuratively, on their feet, if you will. We've got to make sure we capture everybody in this and not, as we have before, leave the disabled to one side. I think we've got to do more in that department for sure. Thank you.

Ms Johnston: I think the business community too is missing out if the learning-disabled aren't taken advantage of, because of the creativity and the determination that I've noted. Einstein had a learning disability, you know. I think because they have to think in a different way, it's the base of that creativity that could really be a competitive edge in Ontario if it was taken advantage of. So it's not just doing something in order to include people, but there's a real advantage to tapping this resource.

Mr Ramsay: We're missing a great resource today.

Ms Johnston: Right.

Mr McGuinty: Thank you, Ms Johnston, for your presentation. I think you've spoken very eloquently about the special needs of the learning-disabled adults and you've put your finger on some of the kinds of programs that would be required in order to meet those needs. I don't think anybody here in this committee would deny the need to deal with them, to address them. Unfortunately, Bill 96 does not lend you any comfort in this regard. It doesn't address the issue of programs.

Not only does it not address the issue of programs but we've learned, as my colleague told you, that it's not likely that the kinds of programs that are available today, as inadequate as they are, are going to fall within the purview of OTAB. I wish I could be more positive in terms of offering you something, but I think you've highlighted an area, a serious shortcoming. Hopefully, the government members will take this into consideration and perhaps, through some kind of amendment, address it specifically.

Mrs Cunningham: Ms Johnston, you are to be commended for coming before the committee and taking every opportunity, I think, to underline the real needs of learning-disabled adults, whether they be training needs or placement needs. I have a son who is a learning-disabled adult. He is also in some ways physically disabled. Luckily, there is an employer in London that has allowed him, in spite of his lack of training, to work for three hours a day. It's the most important time, I would say, of his life. He really wants to contribute.

We have found in the last 15 years in our community—and it's certainly well documented—that the real need is for people to do this job shadowing so that people like Kevin can keep their jobs. Because it's almost in vogue—I hate to say this, but so many companies think they are doing something good for people and they are there and they know it's an ongoing commitment that takes a lot of work, and then all of a sudden they're not there any more because the people themselves have to work so much harder at getting along with others, keeping their health so they can be at work and all of these things.

I was thinking that the place we could recognize this need, at least in the regulations, would be to make some

direction as to who should be represented on local boards, what community. In this instance, I would think that someone representing the learning-disabled, the physically disabled, the disabled in general, could at least be the watchdog for the training needs as well as—and I think this is equally important, if not more so—the work needs down the road so that they can stay in employment. Because they are skilled; they can all make a contribution. It's just so hard for them.

Maybe you can respond to what I said and tell us how you think we can do it, because, quite frankly, I'm not sure.

Ms Johnston: I agree that it's not just in the training environment, that it's also in employment where skills need to be developed. There's such a range when you talk about learning disabilities. Most adults, if they know they have a learning disability, are not going to disclose it, and other people don't know they have a learning disability, but they are not able to do some things. They live in shame of being found out.

I think that particularly if businesses are contemplating wanting to educate the workforce, to raise the level of understanding, of knowledge, which is commendable, there are going to be a lot of scared individuals there who would be paranoid about being put back into the school setting, where they failed miserably the first time.

To address your question about employment needs, yes, I think coaching and taking control and being able to disclose a learning disability in an empowering way, to say, "Here, these are my strengths, these are the areas where I'm weaker, and this is how I compensate for those weaknesses," and then trying out a work setting from that state of empowerment instead of shame.

In terms of how this service might work, I don't know whether that should be in the private sector or something under the umbrella of OTAB, but whether you're speaking of either one, there need to be funds in order to have that kind of service. It's not a dependent service either; I'd like to make that point. It's not a service that would be a continual thing for the adult with a learning disability.

If programs are run effectively, as I've tried to do in my experience, the ultimate goal is to make the client or make the adult independent at the end of it. Because once they understand what their needs are, what their strengths and weaknesses are and how they might develop strategies when they're faced with new obstacles, they can be their own best expert at creating ways to get around that. So it's not a long-term kind of support that is required in order for it to be effective.

Mrs Cunningham: I think maybe that would depend on the level of disability.

Ms Johnston: Yes, certainly.

1520

Mrs Cunningham: I guess in your position at Brock University we would appreciate any help that you can give us. My view is that we would be taking a look at the difficult-to-place—I don't know what the labels are in the professional world, but I know that some are more easy to place than others. We would really like your opinion on how they keep their jobs, and whether this ought to be the mandate of the local training boards. Maybe they're just responsible for training, but somebody, sooner or later, has to be responsible,

in my view, for the long-term placement, keeping people in the workforce who have been trained.

One of the greatest concerns I had as a school board trustee—we did a pretty good job of training many challenging young people. Then at the end of it all, they had their hopes raised and no jobs. This is really, in my view, a very non-partisan issue. If you can be helpful in any way through your work at Brock, even in talking to some people and advising us, I know that we would be most appreciative of your good advice, because I think it is a dilemma for the committee as to where we fit this in.

Ms Johnston: I think there needs to be more transition. I think that support service that would start perhaps in some educational realm could follow through into an employment setting, because you're right. The history of learning-disabled adults is sort of a revolving door in the workplace. So, yes, I think there's a real need for it.

Mrs Cunningham: I can tell you that in London, with my work with one of the training agencies, the only way I had any success was to go in with a big stick to about four or five of the larger companies in town and say this is how many places we need, and we expect to see them year in and year out. Because, I think, of the support of some of the chambers of commerce or other groups within the city itself that felt it was important, they did it.

We've had a fair success rate but a very small one because not enough of the private sector or, I think, much to the chagrin of most of us on this committee, the public sector—I'm now talking about things like school boards and universities themselves, although they're better at it—participates in this kind of employment. The private sector's to blame, but so is the public sector.

Ms Johnston: Yes, but I'll reiterate an earlier comment I made, that I think it's to the benefit of the private sector. I think there needs to be awareness training—

Mrs Cunningham: I do too.

Ms Johnston: —as my colleague Susan Wheeler had mentioned, that both sides be weighed in this, and that the awareness be distributed to the employers as well, so they can see the benefits.

Nothing would be more positive PR for that than a person who's gone through an effective program, reached a level of independence where he can cope and is successful in the workworld and is open about his learning disability. That would do more for PR, I think, and for future positions of the learning-disabled.

The Chair: Mr Farnan, please, and then Mr Sutherland.

Mr Farnan: Thank you, Janet, for your presentation. I think you spoke very eloquently in support of government policy, and I'd like to qualify that. When talking about learning-disabled and looking at means of progressing and training, looking at individual strengths and weaknesses and working from there, all of us have strengths and weaknesses. It is not just the learning-disabled or those with disabilities; all of us have to look at our strengths and weaknesses. It's an inclusive package. All of society is incorporated in this.

My belief is that although there is a director representing the disabled on the board, it's not the responsibility of that

individual to take care of the disabled. That responsibility belongs to every director of the board.

Ms Johnston: Yes, I would agree.

Mr Farnan: This isn't tokenism. This is government policy, and government policy is very, very clear. Whatever happened in the past, as my colleague across the way has said, that's water under the bridge. But this government is crystal-clear: employment equity. The disabled are entitled; it's not a gift, it's not some kind of privilege. It's an absolute entitlement that the disabled have a part in the workforce, and that indeed, as you so correctly pointed out, what we have is a pool of talent that is waiting to be tapped.

I see your presentation today as a very, very supportive presentation on behalf of the policies that the government has been expounding. It has never been as crystal-clear under any administration that those who may have greater challenges in life will be given the recognition that is not something that they deserve; it is something that is their absolute right and entitlement. I welcome your presentation and I look upon it as an absolute endorsement of the direction of this government and of the direction and format this board is taking. Thank you again.

Ms Johnston: I think that the direction of the government is one thing, but from that direction there need to be those services put in place. Philosophy is one thing, but in practice it's another.

Mr Farnan: Absolutely, but it is the responsibility of everyone, not of an individual who happens to represent the disabled on a board.

Ms Johnston: Yes, I would agree with that.

Mr Farnan: That's the point I want to make, that this government sees it as everyone's responsibility: employers, labour groups, government. We must all be permeated with a new reality, a reality that we've denied in the past, but that this government says, "No longer can this reality continue."

Mr Sutherland: I want to pick up a little bit in terms of the learning-disabled. You said there are no programs out there. You said there are no programs for the learning-disabled specifically?

Ms Johnston: Learning-disabled adults in the community.

Mr Sutherland: But within existing programs, there's recognition of those, is there not, in terms of some of the literacy programs that people would be offering, those types of things?

Ms Johnston: They're very limited. Oftentimes, there's minimal recognition of how many learning-disabled students there are. There are almost no resources for assessments to identify where their strengths and weaknesses are. There are minimal supports in terms of—yes, sometimes physical accommodations are granted, like extra time for exams or something like that, but there isn't the educational support strategies, as I've alluded to in this handout, that address what's really needed so they can think of a creative way to get around it. There's not the staffing there to do that.

Mr Gary Wilson: Thank you, Ms Johnston, and your colleague Ms Wheeler, for inspiring such a great discussion here, because I think we've all learned a lot from it.

I did want to pick up on one point that my colleague the member for London North mentioned, partly because—she'll know I'm not a quarrelsome person, and I am genuinely

moved by this—of this idea about the jobs that are going to be at the end. OTAB in the first place can't do everything. The training is the important thing; the jobs are another.

But I do want to say she called that a non-partisan issue. I think that, on reflection, she'll realize it's a very partisan issue. We all come at this quite differently, about how we produce jobs in the society. Certainly things like the trade deals that are being proposed we see as something very anti-ethical to producing jobs in society. But anyway, I just wanted to pick up on that so you wouldn't leave here thinking that jobs in the community are a non-partisan issue.

I did want to pick up, though, on something my colleague the member for Cambridge said, which is that it's everybody's responsibility. It's something that I think was mentioned earlier, and it suggests to me a bit of a mechanical attitude towards representatives, particularly workers, because I know from my experience with workers that we all come from families that have members who are challenged by things like learning disabilities. It is something we all feel quite closely and personally. Again, it's something we all want to see addressed. I'm dismayed by your revelation that these services aren't available, but it's something we want to move on. We'll do our best. Thanks again for your presentation.

The Chair: Thank you, Ms Johnston. All of the committee members appreciate your coming here and participating in this process. It's important that you and others like you, members of the community with their own experiences, come forward and assist the committee and the Legislature in developing legislation that's responsive to the needs of the community and the people who live in the community.

We're grateful to you. We hope you will keep in touch and we trust that you'll be following or tracking this legislation as it proceeds through committee and then on into the Legislative Assembly. Take care. Have a safe trip back home to St Catharines.

Mrs Cunningham: Mr Chairman, just in response, because I'm not quarrelsome either, I was discussing the issue of placing disabled workers, and I don't think that is a partisan issue at all. I'm disappointed, because I also take this very seriously and I think it's the responsibility of all of us. I don't consider the OTAB training board itself to be partisan. I think there are different points of view, but I think all of us are here to provide the training Ontario needs. The day we put our heads together is the day things will be better off and the day we listen. When it comes to the learning-disabled or disabled people, I consider it particularly non-partisan to find placements in the community. It's as simple as that, and that's what I was talking about.

1530

JOINT TRAINING AND APPRENTICESHIP COMMITTEE

The Chair: The next participant will please come forward and have a seat, tell us who you are, your title if any and proceed with your comments.

Mr Jack Cooney: My name is Jack Cooney. I am the educational coordinator of the Joint Training and Apprenticeship Committee, which is made up of the Mechanical Contractors Association in Toronto and the Plumbers and Steamfitters Union, Local 46. I also sit on the board of governors of

Centennial College. I'm co-chairman of the East Metro industrial training committee. I have been a coordinator for this local for 20 years and have been a member of the provincial advisory committee, either as a member or as a resource person, for the last 20 years.

The first thing I would like to do is give you a little bit of whom we represent in numbers. Though I represent the JTAC of Toronto, which has 5,200 members with 130 contractors, I also have the opportunity today to speak for the 12,000 plumbers and fitters in the province of Ontario who are unionized through the provincial pipe trades, as well as the 430 contractors of the Mechanical Contractors Association, both of whom have given me the opportunity to speak today. Also, I am working with the provincial building trades, which you're going to hear tomorrow. I also have worked on subcommittees with them and presentations to the OTAB people.

First of all, there has to be a little bit of brief history, which I think is very important. The plumbers in Local 46 and the government have been partners in progress; that's a key term. I have with me the first meeting of the provincial advisory committee which put the workers, the employers and the government together on June 25, 1938. I was one year old, they tell me, at that time. We've been working as a partnership since then. You'll notice that my business card says "Partners in Progress," and that has been our theory ever since that time.

The JTAC, of which I am presently the coordinator, has been a partner for 35 years in ongoing training, providing services in training and upgrading, working with the provincial advisory committees, not only sitting on the committees but also on all the subcommittees and working with them. When I first started, I thought 25% of my time was spent working for the government in trying to put together some training curriculum and what have you, even to the point that this morning at 9:30 I was at a meeting with the college curriculum committee working on college curriculum for the trade, even as much as today. This has been an ongoing commitment by our association and that of the construction industry to work with the government as partners.

If I go back to when they first put together the Premier's Council on the global economy and how we could better do it, at that time Premier David Peterson did not put construction on it. He did not put construction on it because construction was not in the global economy; it was part of the local economy. Though some construction workers do travel, it's not what we make and sell all over the world. Consequently, we were left off it. I had a letter from Premier David Peterson at the time that said we in effect did have two people who sat on it, one engineer and one architect; they in fact were building bridges, but not in construction as we know it. There was no real input from the construction industry.

We then went on to the development of the skills challenge that was put out. At that time, once again, there was no construction on it. Construction was not necessarily looked at as being the one that should be carrying the ball. However, we got, as I seem to take it, dragged along kicking, because once again we do make up part of the apprenticeship program and entry and re-entry and sectoral. So we're involved in all of it, but it wasn't recognized at that time that way. In fact,

if you look at its makeup, you will find nobody from construction on it whatsoever.

Even though we had pointed out to the minister at the time and sent a brief saying we should be there, it was not to be. Once the paper came out in late 1991, in January 1992 they started putting together committees of management to see what their input would be: the francophones, the disabled, the educators. Lo and behold, the Ontario Federation of Labour said, "We don't have to bring labour together, because we are labour, and we'll just appoint whoever we want." They did. As you know, there are seven appointed by the Ontario Federation of Labour and one by construction.

In a lot of things I'm going to say, you might think I am slamming the Ontario Federation of Labour. I'm not. I take my hat off to them. They've done a super job, and I mean a super job. The only problem was that it was against me and it was for themselves. I wish to hell I had been there, because I would have done exactly the same thing. However, I'm not; I'm on the other side of it. So I have to bring these apart. Maybe I can show you what I mean as I go along. This is in essence not a slamming of them but looking at the overall picture.

The construction industry is a separate sector from the point of view that we do not have a single employer, we do not go to a single plant. We have never, ever, in construction had a plant close down, because we don't have any. As a construction worker, when the job is finished, I am finished. I'm off with my lunch pail, so to speak, down the street with my pink slip looking for another contract. I could work for as many as 10 contractors in one year.

The size of our companies ranges from a two-man shop to the largest of maybe 400 or 500 people, but it varies. I think a good example is the steam mechanical contractors who built the Dome. They had about 350 workers at the time they were doing the Dome; today they have 35 workers. That doesn't mean a year from now they won't have 400 workers. They're up and down, based on the work and the availability.

Right now we also have 50% unemployment, but we never get a headline in the paper, like General Motors or somebody else laying off X number from a plant, because our people expect it. Yes, we try and raise the heads like we did yesterday, apparently, with the UIC, but they're few and far between. Our people are running out of unemployment. Once again, our people are the same as those in industry, but it's not noted that way because of what we are.

We have no security in our agreement that says, "Hey, the other people have to be laid off before me." As a matter of fact, the hiring-hall system we use doesn't even allow for it. Niagara Mechanical is an example: I walked in and they were laying off people who had been there 30 years and keeping people who had been there two years. The theory behind it: "The person who's been working for 30 years probably can afford to take some time off. Their house is paid for. We better help these young people bringing a family up and getting a house. Let's keep them employed." That's part of the theory.

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Our mobility: We've already got it. We have the red seal, as you well know. Our people can travel from coast to coast, even to the point that our affiliation with our international union allows us also to go to the States. We do have that mobility.

Where are my concerns and where are our concerns? The bill says there'll be eight from construction, seven members and one co-chair. It doesn't tell you that seven of them will be from the Ontario Federation of Labour and one from construction. It doesn't make it a level playing field. When you go to apprenticeship—it's one of the main cultures in it—48% of the apprenticeship programs in Ontario are construction, and they are second to none anywhere in the world. Yet we're going to ask the industrial, which has a miserable program, to look after the one that is going good. All they can do is tear it down. They cannot build it up.

I myself, along with others, were the ones who put together and brought forward an OCTAB, Ontario construction training and adjustment board, because we think it should be split. However, in recognition that it's not going to happen, I think we have to go to what the building trades have said: a level playing field that's three from construction, three from industry and three from the service sector.

All we want to do is try to make it level, because whether we like it or not, in all the documentation that the bill and all the rest have presented, as you pointed out earlier, sir, yes, they represent everybody, but they represent their constituents, they represent their members. They're going to represent them. In a report of theirs, they've already said: "We're going to put 200 people of ours to work on all these boards. Not only are we going to have seven on the main board, but we're going to have seven on all the councils and seven on every local board." If you total it up, it's well over 200.

We have a concern with that, because they can only tear it down. We can compare it with Germany's system. The German system is a super system. Thanks to the government, I was sent over there for two weeks to look at their system. They have a system which is an extension of the school. They have a terrific one for industry, but construction is nowhere to be found. They don't have the construction we have here and it isn't carried the same way. It is a high industrial and a low construction compared to Ontario, which is the complete reverse: a high construction and a low industrial. We can only pull them down. I think we should be learning from the good system, not learning from the bad system.

Our concerns also are ones of funding. The Ontario government brought in a training trust fund. It was my own training trust fund document they used to copy, because our trust fund has been in for 35 years. We helped set it up because, once again, we find it's our own people reinvesting in themselves. We think that's the way it should be.

I don't think a tax levy—it's not mentioned in Bill 96 as a tax levy; it's mentioned as a fee. I don't know what that fee is, but it has all the earmarks. If you go back, not only the paper Skills to Meet the Challenge called for a levy, the Ontario Federation of Labour paper calls for a tax levy: "All that will come to us and we'll say where it will go." I'm afraid that would be a downfall.

If you work that out, I can tell you right now it's going to cost an extra \$10 million. I guess \$10 million doesn't sound like much if you're talking about \$400 million to \$500 million, but when you talk of the apprenticeship system of only \$50 million and you take \$10 million out, it means a lot.

Up until this point, all of it has been free. As I say, I sit as co-chairman of it. I sat there for 15 years for nothing. I'm not

out there to make the money, and I think that's one of the problems we're going to have. It becomes one of, "How much money can we make out of it?" as opposed to, "What good can I do?"

I think you have to look at other areas and talk about the physically disabled, the minorities. Once again, there's a place there too. I think in all honesty, though, I have to look at the safety of the people. I think, once again, that I have the disabled working, but they have to be in a certain area. I cannot put them on a construction site where they are up to their ears in mud or they are climbing around on steel beams with nothing below. I think we've proven that we have as many visible minorities and that in our union as any others. I think there are things we have to address and keep addressing.

One of the areas where we're low—and I'll mention it myself—is women. But I can tell you that as long as I've been the training coordinator, there have only been 20 women who have applied in 20 years. It's not necessarily what they want to be. However, I can go to the United States and prove that the 3.1% which the federal government has made mandatory that they must have, they cannot get. I think we've got to look at reality with these, but at the same time I am not cutting them off.

I could go on, believe me. I've been working on OTAB since the day it was first mentioned. I've got reams and books of it. This is only one of four. I could go on, but I think, once again, my time is allotted. I hope I've brought forward some stuff that you can research or I can get. I only gave my card at the beginning because I will be giving a total report in writing. I think it has to be in by February 19. It will be in at that time.

Mrs Cunningham: Thank you very much for coming today and sharing your expertise with us. I'm just a little bit concerned that we're here in this committee and we don't have a government that's listening. I have to say at this very point in time in the hearings that I'm totally convinced that not only should we be changing the makeup of the eight business—the small business-large business representation—but that we should be changing the makeup of the labour, and not only unorganized labour-organized labour.

Now you're telling us we need more representation from—I forget how you put it, but I think you put the construction, industry and service sectors. I'd like you to tell me exactly what you mean by that. If we still have to stay with the eight in labour and the eight in business, how would you see that mix, just from your own experienced point of view, considering the travelling you've done etc? How would you see it working?

Mr Cooney: First of all, I think you're looking at a construction sector that is 50% apprenticeship, and that's where part of it is. I think there should be a segment of that to give the information to the others: why it's working good, how it can work, where it should work. I think there should be three from that.

We recommended nine to make a balance between the three sectors. One is the industrial—the General Motors, the plants, the factories that produce widgets to cars to whatever—and the other being the service, the one that goes out and repairs and maintains and services the areas, whether it be health or whether it be your washing machine, but the service

sector. We said nine because it gives three, three and three. That is adding one, and I recognize that. At the same time, they have, even in the bill, recognized that there would be more people.

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Mrs Cunningham: I really appreciate what you're saying, because I know this is not carved in stone, at least from the public's point of view, and it certainly isn't from the federal government's point of view. I checked that out earlier today. We are supposed to be making recommendations that suit Ontario.

You didn't answer the union question. Maybe it's not fair to ask you to do that. But I have to tell you that right off the top people say: "No one can represent me. I'm an unorganized worker and I'd like to speak on behalf of unorganized workers." Within that group, would you say two to one in each group of three? What would you say, if anything?

Mr Cooney: I think one of the things I've found over the years in the provincial advisory committee, my 20 years in the PAC, is that you get somebody from the non-unionized sector who shows up for one or two meetings and then disappears because he can't seem to afford it or doesn't get the prolonged—when I sit on a provincial advisory committee—I would say the OFL would too when it comes to an industrial plant—I represent the industry when I sit there; I don't just represent my own.

I'm not saying that they're going to represent just their own, but if you get seven out of eight, there's going to be an imbalance there. By all means, if you can get them from the unorganized sector, I'm all for it; I'm not against it at all. As a matter of fact, I have just been awarded, if you want, to do a develop a curriculum, or ducum, chart for steamfitting. I'm getting non-union people to sit on the committee. I have no hangups with it at all. I think we have to look at it from two different views, if you want.

Mrs Cunningham: We've got a wonderful opportunity right now to do that.

Mr Cooney: Yes.

Mr Gary Wilson: Thanks, Mr Cooney, for your very frank discussion of OTAB. Certainly, I'm pleased to hear your response to the previous question about the ability of organized workers to represent all workers, because I think that has been a major issue. You certainly speak from a lot of experience, that it is the only way that's feasible under our present arrangement. In fact, we've pointed out in the past that it's also the way other jurisdictions modelled their committees.

I want, though, to go into some of the issues you've raised, one of them being your awareness of the German model. You say that they have a very good system for industrial apprenticeship and not so good for construction, whereas you say it works the opposite way here. I'm wondering why we then can't combine the benefits of both rather than the disadvantages of both, which seems to be your concern.

Mr Cooney: My concern is the imbalance, because you're bringing it around and flipping it over, if you want, to the point of saying, "Hey, this is the area that's working good over there, so let's forget this area," when this can only draw the other area down. One of the things that happened in Germany which I thought was very—with regard to way it

was done, let me put it that we were taken to two places we weren't supposed to go to. They had to add them because somebody had backed out. When we got there and asked them, "What do you do with your apprentices?" they said, "Oh, we just use them as cheap labour." Of course, we'll never go back there. We tried to get a construction site. We physically tried to get one. The closest they could get me was a printing plant. Once again, it was one that wasn't on the schedule. What did they say they were using it as? Cheap labour.

Now, the BASFs and the rest of them, they did a super job. The equipment was second to none, but it was still being done in conjunction. If you have a factory or a place that you can go to, that's one thing, okay? When construction has its own—we're building our own training centre right now, okay? We've had one for many years. We've just demolished it and are building a new one, because this is the focus there and that's the way the construction has to be because of its diversity.

But that's not saying that General Motors shouldn't do it there. I don't think I should be speaking for them, because I don't know their system well enough, but I don't think they should be speaking for me, because they don't know mine well enough. I agree that their system in Germany in industry, when you're talking about Daimler-Benz and IBM and BASF—they're all super, but that's where it ends.

Mr Gary Wilson: You advertise on your card, as you pointed out, "Partners in Progress." In other words, we can develop. You've already pointed out an area. As I mentioned earlier, your presentation was frank. You pointed out that even after your long experience and good work in apprenticeship, you still have, I think, 20 women who've gone through.

Mr Cooney: I only had 20 women apply.

Mr Gary Wilson: Right. That is one of the areas where I think you would agree progress has to be made. I see, again going back to your experience, how it can contribute to the work of OTAB. As you know, the building trades council, of which I understand Local 46 is a member, has a designated position, and there could be other membership there on the labour side from the construction industry as well as construction people from the business side. That area should be well represented. In the way we see it developing, it will be a larger representation; that is, the issues of training will be looked at in the wide sense.

I want to focus on the provincial advisory committees, which have done good work in the past, and I think you participated in that. They will be working with the apprenticeship reform council and therefore using their experience and contributing to the future of apprenticeship through that council. I was wondering if you might want to comment on the scope of that arrangement.

Mr Cooney: The problem we have there is that what you have is a PAC with a head right now of a government and we know where we're going and what we're doing. You cut that head off and you put OTAB on it, where's it going to go? Let's face it, there's a vested interest: They've already proven it.

I can take you right now and show you a CAW course in Windsor, Ontario, training construction helpers, and you know what? It's against the law because the only person who can work under plumbing, steamfitting and electrical, what

they're training, is either a certified apprentice or a certified journeyman. We did away with helpers 50 years ago and yet they're training auto workers out there right now to do it. Those are the problems that are there that we see coming along, and that's part of our concern.

Mr McGuinty: Thank you very much, Mr Cooney, for your presentation. I want to ask you about a couple of things. First of all, I want to hone in on this concern you have, and I share it with you. I think what you're telling us is that it is unrealistic to expect a representative of a particular constituency to speak out for the interests of another constituency. Is that what you're telling us?

Mr Cooney: I'm saying that, first of all, your first duty is to your own constituency or your own membership, and you look beyond that secondly. Once again, it's written in there. That's why most of those people are there, to represent their own constituency at the same time, and it's part of the bill. I can read it in two or three places for you, and that's where my concern is.

Mr McGuinty: You also touched on something about a training trust fund. Can you go into that in a bit more detail?

Mr Cooney: The training trust fund: For every member working out there right now, 15 cents of his wages, or it's based on his wages, is coming to me. I'm sitting here collecting 15 cents every hour from every member out there. That's going into a training trust fund that is used to upgrade and retrain himself and his brothers and sisters. That money is trusted to my group—six management, six labour—that I work for to take that money and run programs.

I'm running night school programs right now; I am running 34 of them. That's my calendar, and I'm running 34 programs on upgrading and retraining, and it's paid for 90% by our own membership, either through the contractor—you see, we have Siemens, for an example, which all of a sudden says, "We're getting money out of the contract. We just discovered sliced bread." We've been doing it for over 40 years.

Mr McGuinty: If Bill 96 goes ahead as presently drafted, what's going to happen to this program of yours?

Mr Cooney: The way it's drafted, and if in fact a tax levy or a fee, or whatever you want to call it, comes in, I can't see them paying 15 cents here and another 15 over there. So they stop paying the 15 cents into the training trust. It goes into a pie and now we've got to go begging to get it out of that pie, and they're not going to see it the same as investing in themselves. I see a problem with that.

The Chair: Mr Ramsay, you have 30 seconds left.

Mr Ramsay: In other words, you'd like to be left alone by OTAB so you could continue the training trust that you have established today.

Mr Cooney: Correct.

The Chair: You have 15 seconds left, Mr Offer.

Mr Offer: I would like to get an understanding. Under the legislation, it says that OTAB may charge fees for its services. We've asked ministry officials what that means. They've said it's administrative in nature.

The Chair: Do you want to respond to that in five seconds, sir?

Mr Cooney: The response is, if I can go back, the group is going to be headed by the Ontario Federation of Labour, which has already said, in its own papers, in its own words, "We believe in a tax levy to hit everybody."

The Chair: Thank you, Mr Cooney. I want to tell you on behalf of the committee, thanks to the Mechanical Contractors Association, Local 46. We appreciate your interest and we appreciate your coming before the committee. We trust you'll continue to keep in touch and advise us of your ongoing views. Thank you, sir.

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RICHMOND HILL CHAMBER OF COMMERCE

The Chair: The next participant is the Richmond Hill Chamber of Commerce. Please come forward. Tell us your name, please, ma'am, your status with the chamber and proceed with your comments. We've got your written submissions. They'll form part of the record by virtue of being filed as an exhibit. Go ahead, please.

Ms Barbara Scollick: Thank you. I'm Barbara Scollick, the general manager of the Richmond Hill Chamber of Commerce. First of all, I'd like to say thank you for letting me appear before you. Secondly, I'd like to congratulate you on your prompt running of a meeting. I'm impressed and I wish you'd come and do some training in my chamber.

The Chair: Once my caucus throws me out, I may have more time on my hands. I'll be able to accommodate you.

Interjections.

Ms Scollick: Good government, yes.

The Chair: Go ahead, ma'am.

Ms Scollick: Thank you. First of all, I'd like to stress that I have a membership of about 415 to date. Most of them are small businesses, under 100 employees. I do have a few corporations, but when I go to make a list of corporations of over 100, it's small. Consequently, I am speaking to you from a small business perspective particularly. Some of my people are self-employed and that is a concern, and I've been asked to address that.

When we saw the document Skills to Meet the Challenge, we spent some time going through it. We think it's laudable. It certainly should, in essence, make things a lot easier for small business, because it's very difficult to find out which programs are available for what purpose. As I've said in here, you have to be part bloodhound to determine it. From my small businesses perspective, this should be excellent if it's done according to Hoyle.

We do have some concerns because the model is based on big business and big labour, and it's been proven through the Ministry of Industry, Trade and Technology small business report that 81% of all the new jobs between 1978 and 1988 were created by small business.

We're not sure where small business really fits in here, because when I look at the makeup of the OTAB, in my own community better than two thirds of our population is not unionized. We don't know how they're represented on that sector when you've got so many people from the OFL and the one from construction trades, so that is a concern. We're also not sure how the small business fits in either, particularly self-employed with no other employees.

How do we get into the training decisions that are made? We feel a little concerned about the lack of accountability directly to the Legislature. Ostensibly, you're setting up something that has no direct accountability. Once you put these people in place, how does that work? I'm waiting for some answers on that. Perhaps you people can help me on that, because I feel that once you put them there, they're almost on a pedestal and we can't get at them again. You people are elected; you have accountability to us, the electorate.

Mrs Cunningham: They could answer that.

Ms Scollick: Can I stop and get an answer for this, or do you want me to keep going and then you're going to go through it?

The Chair: You keep going, and I'm sure one of these people, perhaps from the opposition caucuses but I suspect the government caucus, will respond to it.

Mrs Cunningham: We're not going to get any response from the government in this regard. We don't think they know what they're doing—

The Chair: Go ahead, ma'am, please.

Mrs Cunningham: —so how can we figure it out?

The Chair: I've got to tell you, it's getting late in the afternoon and these people have been sitting here listening to submissions since 10 am, and the presence of TV cameras does remarkable things to people's conduct. But go right ahead.

Mrs Cunningham: Especially the Chairman.

The Chair: Far be it from me to close my eyes to a TV camera. Go ahead, Ms Scollick.

Ms Scollick: I suspect you're all very tired of the whole issue.

The Chair: No.

Mrs Cunningham: No, we're not.

Ms Scollick: You're not tired of it?

Mrs Cunningham: They're tired. They had their minds made up a year ago. They're not only tired, they're asleep.

Interjections.

Ms Scollick: Hey, you're using up my 30 minutes. I know I only have—

The Chair: No, Ms Scollick. I'm going to deduct some of their time in exchange.

Ms Scollick: Fair enough.

Mrs Cunningham: We're waiting for Kimble's answer.

The Chair: Go ahead.

Ms Scollick: Another concern we have is the right of recall.

Interjection.

The Chair: Ms Cunningham, Ms Scollick is trying to make her presentation.

Ms Scollick: You can get your digs in later.

One of the problems we have discussed is, what happens if we, any group puts in somebody on that board who is totally useless? There are people on every board who do not actually contribute. How is that person removed? Is there any way of putting in an annual review process so that they can be alternated? That goes for any of the groups. If someone is in there from the labour group and does not carry his or her

weight, what happens? How do they get replaced? Is there a mechanism? To us there was no apparent mechanism. Perhaps that comes in regulations, which really, I feel, should be part of this bill.

Voting procedures: You talk about consensus. Number one, you haven't defined it, you haven't defined quorum. It seems to me that it's a good idea that the OTAB board is part of the regulatory process. But it seems to me you're kind of putting the cart before the horse. You've got to lay down some ground rules or it's going to be a bun fight. I think that really needs to be set down very carefully.

I would like to suggest—and I know it's been suggested before—the theory of the double majority. Business and labour must have a majority within their own group before it will go through, plus the majority of the equity group. There's no definition of quorum. Again, that is a concern. What happens if some of these people who maybe should have been recalled aren't and don't show up for meetings. Does that negate the work of the rest of them? That, again, is not fair.

We hoped that Bill 96 would be far more specific on the issue of local boards. My own chamber appeared before the first round of hearings before the bill came out. After they went back, they sat down and talked to some of the other chambers and said, "Boy, we'd better get on the bandwagon and pull our group together."

We're very fortunate because York region, our division within the Ontario chamber, is division 18 and happens to have the same geographic boundaries as the proposed area for the local training board, so we don't have the infighting that some areas do. We thought perhaps our area should take the lead in putting together a model, but we were hoping that Bill 96 would in fact lay out a little bit more definitely the boundaries: number one, the responsibilities; number two, the makeup and how you actually put it together. It's very disappointing that there is nothing specific there.

It seems to me that there was some confusion over throwing in the public sector on this issue. I think we'd better get it right with the private sector before any public sector employees are brought into the equation. No one's negating the fact that they need training as much as anyone else, but to put them into this situation I think is creating its own problems; let's get it right first and then, perhaps down the road, introduce it.

In conclusion, we feel that the lack of representation of the non-unionized workers needs to be addressed. We feel that the OTAB would be better in an advisory rather than a decision-making capacity, because that financial accountability and so on would not be an issue then.

Right of recall should be part of a performance appraisal. We need a double majority of worker and business groups, including a definition of quorum, and I should have written in there a definition of consensus. Bill 96 needs to clearly define the role of the local boards.

We'd like to focus the training on tax-producing jobs. We want people employed in the private sector who are going to be taxpayers; we don't want the money put into paying them from our tax base, if you can understand what I'm getting at. If you don't, just shoot at me.

Anyway, we feel, bottom line, that the government of Ontario has an opportunity to create a historic organization to

determine and deliver training to the people of this province. That, in a nutshell, is where I'm at.

The Chair: Thank you, ma'am, for a presentation that was brief and concise, that got to the point and that permitted sufficient time for discussion.

Mr Sutherland, you wanted to respond to some of the issues.

Mr Sutherland: I just wanted to highlight some of the accountabilities, because actually this legislation has accountabilities that some of the others don't.

First of all, one of the things this bill has that others don't is that the minister responsible for OTAB can issue directives to OTAB. There's a responsibility upon the CEO for carrying out those directives. There are also the normal accounting procedures. It will be subject to the public accounts committee of this Legislature, subject to the audit of the Provincial Auditor. It is also a fact that, in terms of its investment, how it spends money is subject to cabinet. In terms of owning real property or borrowing money, it will have to get orders in council approved.

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There are several accountability mechanisms—to the government, to the Legislature, to cabinet—that are built into this legislation that are not built into some of the other agencies. It even says it has to work in a general framework of accountability to the government of Ontario. Certainly, with regard to those concerns that may have been raised about how other agencies have operated, we have tried to learn from those experiences. More references are in here and accountability is in here.

In terms of the recall mechanism, I guess it should just say that the terms are three-year terms, not lifelong terms.

Ms Scollick: They can do a lot of damage in three if they're deadwood.

Mr Offer: Don't we know it.

Mr Sutherland: With all due respect, I think we need to understand that it's going to take some time learning the process. If you had an annual recall, some people are just going to get into it and you're going to be looking at doing that. There is a three-year process, and I think that would hopefully allow for accountability.

The Chair: Ms Scollick wants to make a comment.

Ms Scollick: Yes, I do. I wasn't suggesting that we haul them out every year. I'm just saying that this option should be available if in fact you have deadwood. If I read the act correctly, the person who has an alternate available is someone from the disabled group. There is more than one way of being disabled, and I would like to suggest that right of recall is really important, not that it be exercised often but that it should be built in as a protection mechanism.

The Chair: There were other matters that Ms Scollick raised. She offered to give members a chance to respond. She deferred.

Mr Wood: Thank you very much for the presentation put forward. In your conclusion you say that the "lack of representation of two thirds of workers needs to be addressed." From what I understand, a lot of the small businesses do belong to the chamber of commerce.

Ms Scollick: Yes, they do.

Mr Wood: The chamber of commerce is representing them.

It's been raised here by both opposition parties as to how to get a representative from unorganized men and women who are out there. I'll use an example. Could I, for example, walk into a McDonald's, Harvey's or any of these places and say: "You're non-unionized. You're working here. Do you think you can represent all the unorganized working men and women in this province on the OTAB and speak on their behalf?" I'm just wondering how you would go out and choose people. How do you get a representative?

Ms Scollick: That's a relevant question. There are a number of companies that are not unionized that have some fairly articulate and well-placed people. I mean, there are people in volunteer groups in every community who have their finger on the pulse of the community. They don't necessarily have to be unionized or be a member of the local chamber of commerce to do so.

I think perhaps that each community, if you're talking local boards, would be looking for that. At the OTAB level, surely there are people whom one could pull out of the woodwork. Even if some of the employee groups of non-unionized businesses were approached and asked to submit names with résumés and the whole bit, the same as each of the reference groups is doing, surely we could come up with someone who could speak to that.

Mr Wood: But in my own community, for example, 90% of the working men and women out there are unionized. The other 10% who are non-unionized, every time the mill workers get a raise, or the firemen or the policemen or the nurses or the school teachers' union or all of these union groups out there, they say: "We're fortunate. Now our employers are automatically going to give us a certain percentage of that." I'm talking about in my riding and in my home town.

Ms Scollick: Which is?

Mr Wood: Ninety per cent of the people are represented by unionized workers.

Ms Scollick: But, Mr Wood, that isn't necessarily the case. Let me give you an example. In my home community where I actually live, at least on weekends, most of the people within my community are working for small business. Surely, there are some people within that community—in fact, I know there are. I've dealt with them. They're very articulate, well-connected people to the other people in town. They could speak for an employee group that is not unionized.

The Acting Chair: Very briefly, Mr Wilson. Like one minute.

Mr Gary Wilson: Just one other thing I wanted to mention was the local boards. I guess it also is tied into some of the other things that have been raised. One of the major premises of the OTAB is that it is a government sharing the responsibility for training with the labour market partners here, the employers, the workers, people who want to be working and the trainers.

So if they're going to make decisions—and we see that they're going to invest more of their effort into it if they actually make the decisions—if they're going to be genuine decision-makers, then they have to enjoy the respect of the nominating groups. At the same time there is, as my colleague pointed

out, the government accountability that's built into it. So with that kind of mechanism, that's where I guess the genuineness or the quality of the decisions will come from, or I should say that that's where the check or the accountability of the appointees comes from.

The Acting Chair: Thank you. Six minutes, Mr Ramsay.

Mr Ramsay: Thank you very much, Ms Scollick, for your presentation. As you can see, you're not the first one, and I'm glad you've brought it up again, about this lack of representation for the two thirds of workers out there who don't happen to find themselves, for whatever reason, in a unionized workplace.

As you can see, the government members don't seem to be able to get it into their heads that representatives of eight unions in Ontario cannot possibly, no matter how hard they try, have an understanding and comprehend what some of the challenges might be in other work circumstances, in other types of occupations and sectors in the economy. But I'm glad you're here to try to bring that message home.

Ms Scollick: I also, sir, am not a unionized employee. I'm a non-unionized employee.

Mr Ramsay: Yes, good point. Also, not everybody has made the point, but I'm glad you made it, that OTAB should be advisory and not decision-making. I really believe that as we start out on this process that would be the way to start. I'm very concerned that we're going to throw all these people into a room who unfortunately, and it's a sad fact of Ontario economic history, don't have that history of working well together. They're going to have to do so, and I'd like to give them an opportunity to do that before they're in charge of all the money and have total authority over all training in Ontario.

That kind of scares me: What's going to happen in the next couple of years as they get those relationships matured and start to get to know each other? I think it can happen some day. It has to happen. But I think we have to allow it some time. But we're going to throw them all in a room, give them responsibility and a lack of money and say, "Go at it," and that's what I'm very concerned about in the short term—

Ms Scollick: Right.

Mr Ramsay: —while many of us need training in this province right now to get those new jobs that are starting to be developed. So that's a concern.

I'd like to ask you about the dispute mechanism. You proposed a double majority, so that's business-labour, and then you say, "with a simple majority of the remainder." In a sense, what you're saying would be a triple majority that would be made up, majority business, business-labour, and then you take the education and equity people combined, and a majority of that group also; so basically of those three groups, if we can recommend the three, a triple majority.

One point that's been brought up by people representing workers and/or business is, and it was an interesting idea, you might want to make a double majority, business-labour, and then maybe 50% from the other group, so that you still retain the majority of the power with the workers and the business side. I am just wondering what you felt about that. Would triple majority itself be okay, or double with 50% of the other group?

Ms Scollick: I hadn't thought of the 50% angle. I don't think I can answer you that right at this point. I'd have to think it through. However, it seems to me that when there is nothing in place, something is better than nothing.

Mr Ramsay: Yes.

Ms Scollick: I really fear that we're going to end up in a wrangle before the whole thing starts, and it's too important to get into fights. It's just like, you don't send kids out on the football field without giving them rules and putting around the boundaries, and I really feel that's all part of this.

1620

Mr Ramsay: That's an excellent analogy and that's just the last thing I wanted to mention, that we in the Liberal caucus are very concerned about the lack of direction in the legislation, as you had pointed out, in regard to the development of the local boards. I was very pleased to hear your example of how you've worked in your area with the community in starting to form a local association and bringing the groups together. What I'm concerned about is that OTAB will impose a Queen's Park model on all sorts of regions and localities in Ontario that might not fit in your particular area. I think that we've got to have the flexibility there, that there has to be a community of interest develop and then that you be allowed to develop your own sort of local models so that you make sure you're in touch with all the people.

Ms Scollick: I think that's important. I look at division 18, which is York region and Georgina, which is up towards Lake Simcoe. It has a large agricultural base. They've got very little business to speak of. They need to be included in the equation. If you're modelling it on OTAB, then that doesn't work. That's a concern, and it isn't just in our own area but in all the areas beyond the GTA. You've got agricultural sectors, you've got tourism sectors and the whole bit. You've got to be willing to go with the flow in each individual area, but I still think that there should be more regulations set down in that bill to cover off the local boards. I think people are waiting for direction, and if you just say, "Form your own boards," without telling them what their parameters are and what their responsibilities are, how do you do that? It's really difficult. I feel it's very important that this get tied down.

Mr Offer: Thank you for your presentation. I think you've brought forward some very important points. I think it is clear that your concerns dealing with the lack of accountability are well founded, not only in your own opinion but in the legislation. There just is not accountability in this legislation.

Mr Sutherland: Oh please, Steven.

Mr Offer: Mr Sutherland has brought forward the fact that there is. The fact is that the same type of accountability in this legislation exists with the WCB, which allowed the building of a head office.

Ms Scollick: I don't want to get into that. That's not what I'm here for.

Mr Offer: Anyway, my question is that I would hope that the government members would listen to your concerns and not feel threatened when people come forward and say, "I've read the legislation and these are my concerns." There

is nothing in this legislation which mandates the establishment of local boards. Everyone who has come before this committee has said that this will fail without local training boards having to be established. I challenge any member of the government to show me in the legislation where that is mandated for formation, because it isn't.

I think that the point you've brought forward—if only the government members would feel less threatened, because you have an incredible amount of experience and knowledge in this matter, they would be well advised to listen to people who come forward before this committee and have significant and serious concerns about training in this province and why this legislation is cutting off the responsibility of government to help and make those decisions.

The Chair: Thank you, Mr Offer. Did you want an opportunity to reply briefly to that?

Ms Scollick: I guess I have to respond to both Mr Sutherland and Mr Offer. I understand what you were telling me, Mr Sutherland, about the accountability. I think the word is "direct" accountability. That's my concern. I understand, sir, what you're saying, but it's the word "direct" is really important.

Mrs Witmer: Thank you very much for your presentation. I do appreciate it and I want you to know that many of the other presenters have certainly raised the same concerns you have.

I'd like to speak first of all to the model, because I think what you're telling us is that although the original green paper was a very exciting, thought-provoking document, Bill 96 certainly has a different focus. I think what we're seeing here is a concept that's really based on a model of the economy that has become obsolete. We're still dealing with a workplace in terms of large industrial-type employers and industrial-type unions. What this document seems to overlook—and you've pointed it out here—is that 81% of all new jobs in the last 10 years have been created by the small business sector. That's been a major driving force in this economy. Yet those employers and those employees are totally overlooked. That, to me, probably is the greatest flaw with OTAB: It is obsolete. It's fine to say that this works in Germany and what have you; however, if we're going to have success in this province, we need to be more forward-looking.

I know I've heard you respond to the question, how can this government realistically make changes to the composition of the board so that it does reflect the small business sector, the employees and the employers? We've asked this question over and over again. What else can you say to us? What other direction can you give us?

Ms Scollick: I'm not sure that I can give you much direction. I think perhaps the small employer and the self-employed will have to make their voice heard by the business reference group and I think that's direct.

I guess my concern is, flipping that, how does the non-unionized worker make his voice heard by the labour side? Because they're not together in an association, necessarily, it makes it very difficult. I wonder if it's possible.

I am not a union employee. Obviously, working for a chamber, there are days when I wish I had a contract, but—

The Chair: Listen; with Bill 40 the process has become a little bit easier.

Ms Scollick: Not in a two-employee office. Anyway, how can I come to the labour group and make my point as a single employee? I'm not sure that I will be heard. I don't even know how to access it, and that really is a concern. If there were even one person who was a member of that group whom I could attack—or suggest, talk to, call, whatever—whom I felt I could talk to on my level, because I don't have a contract, then I would be a lot more comfortable with the process.

Mrs Witmer: I appreciate that, and that's certainly a concern that we in the Conservative caucus have, the fact that the employees who are non-unionized will not be represented on this board just in the same way that the small business people may be overlooked as well.

I think you made another point, the accountability. I'm certainly concerned about that because, even though the government believes that there is accountability, I believe that this body is going to be spending a tremendous amount of taxpayer money and it is not going to be responsible to the electorate or the taxpayers in how this money is spent. I would have to tell you I have grave concerns, unless there are some changes made about how this money could be spent.

I guess I'd like to ask you now about the provision of training. How do you see that being provided? There's been some concern expressed about the fact that the private sector may be eliminated from the provision and only the public sector will be able to address the needs.

Ms Scollick: I'm glad you asked me that, because that really is a concern. A number of the people who are in my chamber are consultants and so on and do provide training for the corporate sector, particularly some small business. I wonder what happens to them. I need their memberships. I don't want to see them go down the tubes and I'm really not sure how they fit into this whole process. They have a very vested interest in it, obviously, in making sure that it works, but in making sure they have access to providing the training.

If the two people who are sitting on the OTAB board of directors are from the colleges, then these people have no inroads into it at all. Perhaps their way of attacking it is from the local level, but I don't know that because Bill 96 has told me nothing as far as that makeup. That's really the frustration I'm voicing for my membership.

I have one other question, Mr Kormos, that I'd like to address. I have a very large concern for the administrative costs of this board, including the four councils. I sat at breakfast one morning and added up how many people there were and it blew my mind. I really am afraid that the costs are going to be so taken up in administration that there's going to be no money left for training. I hope I'm wrong.

The Chair: If people want to respond briefly to Ms Scollick on that issue, I'll give each caucus an opportunity.

Mr Sutherland: Just to say that the minister has indicated—I should say initial startup; this isn't ongoing administrative costs but some initial startup costs—a figure of approximately \$7 million. As I say, that's startup. That's not ongoing operating; that's some of it in the first year.

Mr Sutherland: I know, but the ongoing operating will be far less than that. We're talking a minimum of \$400 million to \$500 million of training that it's going to be responsible for.

Ms Scollick: But, sir, if I can point out, there are over 100 people involved in this. You're talking four to five person-days a month in lost wages and expenses. Give me a break. Some of those people are very highly paid.

The Chair: Okay, Mr Offer, briefly.

Mr Offer: In response to the question, I think that I would like, through you, Mr Chair, and through research or ministry—we now have the programs that are potentially going to be transferred to OTAB. I think that we have to get exactly the answer to what has been posed. How many staff are moving to OTAB from here, what new hirings are going to take place, what period of time are we looking at and what is the cost for this structure you are creating? I think that's an important question.

The Chair: Thank you. Initial cost and ongoing cost. That's being directed to research as well as to ministry staff. We'll ask that the clerk ensure that when that reply is given in the committee a copy be sent to you, Ms Scollick.

Ms Scollick: Thank you.

The Chair: Ms Witmer, please, quickly.

Mrs Witmer: I would just like to support the suggestion made by Mr Offer. We've had numerous presenters raise their concerns about the cost of this bureaucracy.

The Chair: Ms Scollick, thank you kindly. Please tell the Richmond Hill Chamber of Commerce that we are grateful to it for sending you to present its views as effectively as you have. You gave a presentation that was concise and to the point. We enjoy that as a committee. I trust we'll take advantage of some of the input you've provided here today.

Ms Scollick: Thank you, and thank you for being so approachable.

The Chair: Thank you, ma'am. Take care.

WALTER C. MILLER

The Chair: The next participant is Walter Miller. As he's coming forward, I want to indicate to people who might be watching this on legislative broadcast that this committee will not be meeting in this room Wednesday and Thursday. We'll be meeting in committee room 1 here at Queen's Park in the Legislative Assembly. Public members are similarly invited to participate.

The auto insurance committee will be on the legislative broadcast channel starting at 10 o'clock. It's a very, very important issue. I encourage people to watch the debate in committee around the auto insurance legislation. I also urge them particularly to tune in at 2:30 when Mel Swart, former MPP for Welland-Thorold, will be making his presentation to the auto insurance committee. That's 2:30 tomorrow on the legislative channel, Mel Swart, the former MPP for Welland-Thorold. I encourage people to watch that and to listen to what Mr Swart has to say about this incredible bit of folly that the government's engaged in with respect to Bill 164.

Sir, please tell us who you are and proceed with your comments.

Mr Walter C. Miller: Thank you very much, Mr Chairman and people of the committee. I welcome the opportunity to speak to you.

Having heard a couple of the last speakers, I am not here to get into this big bureaucracy. I'm here actually because I'm fed up at being at the bottom of the bureaucracy. I retired early from the educational system, and for the last year I've been enjoying it. It's just great to be able to say what I like without my union or my school board or anybody telling me what I have to say.

I want to express some views to you as someone who's been in the front line and taken a lot of bad raps as the principal of a high school on what we're doing to the kids today and then let you see some of the frustrations of trying to get them trained. I hope that you don't get into a huge bureaucracy and make it very impossible for them to train.

I've put my biography there so that you can see that I have had quite an involvement in this type of thing before. I've put on the front page four excerpts from four of the objects, these paragraphs, 12, 13, 15 and 16, and I would briefly like to comment on those.

On page 2 I put—and there's a full text at the back from the Toronto Star—Matthew Barrett, who seems to be the coming oracle of Canada, according to the papers this morning again. He's dictating on everything, how we're going to get out of this bad economy. But the CEO of the Bank of Montreal does define the problem. You cannot lift the newspaper today or you cannot listen to TV or radio but you hear the problem that we're not trained, that we're not training people, that the educational system is bad.

I don't buy it all completely. After all, I spent 28 years of my life in this educational system and I think we do an awful lot of good things too. However, the problem is, and I happen to agree with Matthew Barrett, that we're trying to do the work of the 1990s with the skills of 1960s.

I heard this lady here, Mrs Witmer, speak about how we're still talking about an industrial economy, and I couldn't agree with you more. That's what we seem to be hung up on, an industrial economy. Those days are over, and just as I in my native Scotland watched the miners waiting for the mines to open, they're not going to open again, so you've got to get on and look at something else. It's got to be solved. He says it's the number one problem.

The solution, I think, is—and let me be idealistic for a moment. The Honourable Richard Allen, your minister, states that the key to the success of OTAB is "the power and the responsibility that will be shared by the government with those who know best what is needed." I agree with that, idealistic as it is, and I think you have to aim high to get something. It's got to be done by asking those who know what is needed. In other words, you have to ask labour and management and business and education all together.

I'm not so sure that they'll all reply, because it was my experience, and I was only an underling in the system, that the system runs itself. The schools are not there to be serviced by the system; the system is there to be serviced by the schools. I discovered that, and I'd like to relate a little incident that brought this home to me ever so clearly.

It was my first year as a principal and we were facing the problem of teachers on strike. I thought: "This is going to be

a real holiday. It's a nice way to get used to the job. Nobody's going to be at work." My mailbox was flooded and inundated with all the memos, and I thought for a minute: "Stop, Walter, and just think. What does this mean? There's a large board of education. There's a structure which is up there to support you and your school in how to run your school. Your school hasn't been operating for over two months, the teachers are on strike, but this system is still feeding in the stuff that I have to answer to."

The real efforts, the front-line management, the lead management as opposed to boss management, you're not getting a chance to do it because you're surrendering to the bureaucracy. The school is only a little cog in the big wheel of the educational establishment. So I do hope that it can be done.

Focusing in on the four things that I would like to speak about, number 12—you're all familiar with it, much more than I—speaks in general about focusing in on the needs and the priorities that we have. I'd like to give you a little bit of a history lesson, which I'm sure you've heard, and this lady led me into this actually. We had the agricultural age, and then you remember the big problem of getting people to leave the farm and live in cities and realize that you didn't grow your own potatoes but you bought them at the supermarket. That took about 40 years to get people to adjust.

Now we've suddenly got into another age, a technological-information age. We're leaving the industrial age. Sure, we're going to have some industry, but we're not going to have every industry and every machine shop in Ontario. I couldn't even keep the machine shops in my schools. I closed machine shop after machine shop, and you know the cost of that. That's really why I'm here.

In the 1970s that famous satellite thing of the Ali/Joe Frazier fight was the first time ever in history where the whole world simultaneously saw a sports event, and that changed the world. You didn't have to wait for bulletins or the pony express. Yet we didn't really change. We said: "Wow, that's technology. Isn't that great?" and we carried on and went back to the usual industrial mode.

Some people in other parts of the world, like our famous Japanese brethren, started working with electronics and gadgets and robotics and things and got going, and we still went out on strike to make sure that we would have these manufacturing jobs. We had the famous strike at Molson where the bottle washers wondered why they were washing the bottles cheaper in the US. We carried on the same way. "The world is not going to change in mighty Ontario."

I'm just saying to you that the programs have to meet the needs of those you're training. I have seen many a student who—everybody wants to become a doctor or what have you, and so you talk all the time about a 30% dropout, because our educational system does not meet the needs of the students. Consequently, when a student doesn't get a job or doesn't know what he wants to do afterwards, we send him to be trained.

I've written countless letters and I've sent kids to community colleges to do machine shop courses and retraining. They come back and they say to me, "You know, I went for a job, and the guy tells me they don't use those machines now." They have about one machine, and the rest of it's done by robotics. The other machines run, and they tell the owner when they're not running. So there just are no jobs.

I can point out to you but I'm not here to do that—I speak for myself; I don't speak for any constituency. But I can show you training programs where we are putting young people in and spending a lot of money and giving them—not just us; the federal government too, with UI payments, to attend these training courses, and there isn't anything for them and the training they're giving them is great if it was 1960.

1640

The next part about high-quality programs: I read all your literature that you've put out on skills etc, so you probably had all the ideas before. But I really think it's very important that we teach the skills in a way that goes beyond the particular job and leaves the trainee better able to take on different tasks in the future. We've got to get away from this nonsense, and we see it in both the private and the public sector, "It's not my job." They know their own little part; they don't know the generic nature of what skill they've been trained for.

Those of you who've studied Tom Peters know that he tells you it takes four days' training before a kid gets on a booth at Disney World. When you drive up to Walt Disney World in Florida, that kid's had four days' training. He knows something about the organization. The training goes beyond just "Take a ticket," and yet we are still training people in that way. I think we have to try and coordinate. As I say, let's coordinate and train to teach skills that will make us competitive. There's a tremendous lack of confusion here and we don't seem to know why.

I may be backtracking here when I say this but I recall, as principal of a vocational school, I was closing a bricklaying shop because we decided we didn't need bricklayers. We'd gone to the other extreme. We expected them all to be high-tech. So we're closing, at great expense, a bricklaying shop. A fellow expatriate of mine, Hugh Heron, who was a builder in Toronto, was arguing with the federal government about importing bricklayers from Holland at the same time. This does not make sense. This is a lack of coordination. All I'm trying to say through my remarks is that I hope some remarks would pass to this committee to try and get people to coordinate things better.

Of the diverse educational and training resources that Ontario has, I personally have been involved in the ones which I've enumerated there. Some of them are very good and I've seen very good experiences in many of them, but I did come to the conclusion that we don't make the best use of these because they are private constituencies and they engender lots of private territory.

The Chair: Sorry to interrupt you, Mr Miller, the confusion—this was just Mr Hansen, the Chair of the auto insurance committee, and it's only fair, because I've dropped in on his committee a couple of times today. Thank you, Mr Hansen.

Mr Ron Hansen (Lincoln): We turned your side down too.

Mr Miller: I didn't think you had any insurance, Mr Kormos.

The Chair: We don't. We'll have even less after Bill 164 is passed. Go ahead, Mr Miller.

Mr Miller: I was thinking that lots of well-intentioned people worked very hard. I watched an article on television the other night and I think you all saw it. It was the controversy

going on in the Barrie-Penetanguishene area. At Barrie, the program of the student workplace is being jeopardized because of the WCB legislation, and at the same time up the street in Penetanguishene, if you're French, the federal government's funding a big program.

The sarcastic manner of the program was, "Why don't you say you're French and then go the hospital and then you'll get a job and the feds will pay for it instead of the provincial." That's got to stop. As a taxpayer, I really don't care whether it's federal or provincial. If I send my kid to be trained, I hope that there's some coordination.

The cooperation between industry and education, that in my past was a peeve. I was one of the people who wrote this book for the Canadian Chamber of Commerce, Focus 2000, which I explained is a resource guide for chambers of commerce and unions to try and get business education partnerships. I just want to point out one or two of those because some of them are good and some of them are not so good; some of them are lipservice.

In Scarborough, before I left the place—it had nothing to do with me; it's just something that I thought was tremendous and I saw it. The president of the Freeway Ford dealership, a young man called Don Gleet, was getting to us in the schools and saying: "Your auto mechanics teachers are out of date. They don't realize that it's not grease monkeys any more. This is high-tech stuff, so we've got to show them. We've got to get those guys out of the classroom and back into seeing how a real auto dealership goes."

To do that, he managed to get the cooperation; he was Ford, General Motors and Chrysler all gave \$40,000 each and the Scarborough board cooperated. They hired a supply teacher to relieve these teachers to rotate in and out. It was a marvellous experience, and as I say to you, I just thought it was great and I really applaud it.

But I would say you've got to go farther. I'm coming to two really serious remarks I would like to make, and whatever powers you may have, I hope you can make them happen, at least in some form or other.

The present system of putting high-cost and high-tech equipment in every high school is out of date. You can't do it; you can't afford it. I was in six-digit figures to get CAD-CAM machinery into Cedarbrae Collegiate. You can't do that in 500 schools in this province. We cannot afford it.

What I'm saying to you is that instead of putting the tech shops in the high school buildings, with all the restructuring and all the layoffs there's a lot of empty space in some of the factories. Why not put the classroom back into the place where the machines are and let them teach there?

I thought that was a marvellous idea and I'd probably go out on my own. I was reading on the train, and God, somebody else thought of it and wrote a whole page on it today. This is the back of the business section of today's Globe and Mail, the Change Page. It's an elementary school and it's Northern Telecom. Here are the kids in Northern Telecom's factory in Winnipeg getting the tuition. I'm sorry it's not Ontario, but I know we have some of those things in Ontario. We do have some, but I think we've got to foster these kinds of things.

I thought you might like to hear it, and these are not my words; I'm just reading what I saw in the paper today:

"Its independent course has gained grudging tolerance from the local school board.... Mr Lee, meanwhile, is unapologetic about his goal of moving a school system that resists movement. 'The way you get schools to change is you end-run [the system]. You tell parents, "Hey, do you want your kids to have a high-skilled, high-paying job?"'"

That's how you get at them.

That's the same point I was trying to make, and I had made this before I picked up the Globe and Mail. My point is that everybody I talk to is talking the same way, that we have to do something.

My second real suggestion is about teacher training, and you may have noticed from my biography I've been doing a bit of that in my retirement. I'm involved in a cross-border thing of training Ontario teachers in the United States actually. We're letting them have a look at other systems so they'll bring fresh ideas. I'm a supervisor in the faculty of education in Niagara Falls, but my work is in Ontario and the students are being trained for Ontario, and we're doing something a little bit different in the training. I would say that with technical teacher training we've got to do something different.

I recall an incident where I had a very high-tech teacher who was ill and I needed either to close the shop and deprive those youngsters of this training or else hire a new teacher. I got the people, but I couldn't hire them, because people can't just give up these high-tech jobs and come in to a teaching job and begin at the beginning with no guarantees. They just cannot do it. So I was forced to close up the shop and have the kids go to some other school or drop the subject. These things are sad.

I think that in technical training, if you follow the faculties of education, to get people trained and to even get into the faculty, by the time they're trained, the technology's gone. We've got to do something serious about that.

I thought I'd lighten your day, Mr Kormos, with a little laugh at the end. With change, I thought I'd just get Americanized and tell you what President Bill said, "The urgent question of our time is whether we can make change our friend and not our enemy." Then I say, "Change brings crisis." The Chinese have a wonderful word; it's called *ngai quay*. I've drawn it at the bottom of the page for you. *Ngai quay* means crisis, and to the Chinese mind crisis means, "Hey, this is a tough time, but it's also an opportunity," and I hope we can do that. I hope we can make this training needs-fulfilling. As the Rolling Stones said, "You can't always get what you want, but if you try"—but you've got to try—"some time, you just might find you get what you need."

Thanks very much for listening to me, and I hope that whatever you can do, you'll spread some of the word around.

1650

The Chair: Mick Jagger and Keith Richards couldn't have said it better. Thank you again for a very well-presented submission. It truly was. We're grateful to you.

The first participants are Mr Ramsay and Mr Offer. Three minutes, please.

Mr Ramsay: Walter, thank you very much for your presentation. It's very refreshing to get a hands-on presentation from somebody who's had this varied experience in education, and you're still there contributing as a consultant. I

really enjoyed this very much. I was actually quite taken by your very opening remark, that you've been sick and tired of being at the bottom of a bureaucracy. I'm a little concerned that—

Mr Miller: Let me clarify that.

Mr Ramsay: Yes, sure.

Mr Miller: What I'm saying is that I don't belong to any constituency, so I can speak freely what I've thought. Very often as a principal, obviously, I had to respect the views of a board. I'm not representing any board or speaking for any board. I hope I spoke in general enough platitudes, okay?

Mr Ramsay: What I'm concerned about with regard to the establishment of OTAB is that it's going to be a top-down operation. What the legislation really concentrates on is the establishment of this Ontario Training and Adjustment Board. It mentions very briefly that OTAB may establish some local boards, but that's basically it. It doesn't really give very much information as to what they would look like, how they'd be established, how they'd operate, how they'd report back to the parent body, the OTAB. I'm very concerned that we're almost creating another big bureaucracy.

Mr Miller: That's what I felt when I was listening to the previous speakers. It seemed to be enmeshed in bureaucracy that I didn't want to even hear about. I just hope, whatever you do, that it meets the needs.

Mrs Witmer: Thank you very much for your excellent presentation, Mr Miller. I thoroughly enjoyed it. As a former OSSTF teacher and school trustee and what have you, I certainly concur with many of your statements. I'm not sure if you've read the new PC document, *New Directions*. It focuses on education and learning. Many of the statements and concerns that you've raised in your document are very consistent with the positions we have put forward.

You talk here about putting the technical shops into the classrooms, and that's certainly something we talk about. I think it needs to be done. We can no longer finance shops in each school. You talk about changing the methods of teacher training. What would you suggest we do in this area, because I think that is an area where there really is a need for change. We've been doing it one way for a long time and it is out of date.

Mr Miller: I think you have to make a special case of the technical, especially the high technical. For example, you cannot say to a guy who's an electronics specialist that we'll pay him more money if he gets a degree, and the guy takes three courses in ancient Greek. Why not give him the credit for doing electronics courses and make his certification better? That was the frustration I met, with the tradespeople especially who taught for me. They all had BAs eventually—and that's what the teaching profession required of them—but their BAs were of no use to their subject. They were brilliant men, but what happened in times of surplus was that these poor guys were dragged from the technical classroom to teach grade 10 English or something. It's wrong and I think something's got to be done. But that's another ministry, I believe.

Mrs Witmer: I know we're short on time. My final question to you would be, if you had just a brief message to give to the government in order to ensure that OTAB does

respond to the needs of modern-day Ontarians, what would that be? What would you like to see change?

Mr Miller: Not so much change—I don't know enough about that—but one thing I would very much like to see is that it responds to modern Ontarians. I think there's got to be a lot of education to show modern Ontarians that there are other parts of the country, that we are not going to get what we want the way we did for years, but we can certainly get what we need if we work hard at it. I would suggest they define what they need very clearly at the local level, and let's work at that.

Mrs Witmer: You mean the skills that are needed?

Mr Miller: Yes. My own background is classics, by the way, and it may sound like hypocrisy saying that to you, but I've had a good view of the world for 2,000 years. You do have to be pragmatic and face the reality of what you need. You can't buy dinner on a piece of philosophy.

Mrs Witmer: That's right. I think you've made a good point here where you say that really the skills that are being taught need to go beyond a particular job, because we know that in a lifetime now, people are probably going to change jobs four or five times. So that's what we need to be focusing on and I certainly hope that OTAB will take that into consideration. Thank you very much for an excellent, very enlightening presentation.

Mr Gary Wilson: Thank you for your presentation, Mr Miller. I found it fascinating and I am certainly happy to see that you support the objective of OTAB; that is, the sharing of the power to effect training with the government and the labour market partners.

I also, though, want to focus on the question of need because I think you've highlighted the importance of need and who defines it. For instance, I can add one more quote. You've given us a section from the *Toronto Star*. You've raised the *Globe*. There's another article here from last Thursday's paper from Allan Taylor, who is the chairperson of the Royal Bank, who said: "At present, only a third of Canadian companies provide any formal training, mostly for upgrading the performance of managers rather than front-line workers." I think this goes to the heart of why we want to include everyone, to define those needs. The question is, as you said, that maybe we won't get what we want, but we'll get what we need. Again, it comes down to—

Mr Miller: You won't get what you need unless you try.

Mr Gary Wilson: But who defines the needs? I think that's the important thing.

Mr Miller: You're right.

Mr Gary Wilson: I wonder if you would like to comment on that, on who gets to define the needs and how best to approach that.

Mr Miller: I think the needs are defined by the—the concept is called lead management, as opposed to boss management, the concept that has been used in Japan, the one where you talk about the auto workers all sitting in conference—I don't mean to carry it to extremes, but that type of thing, where the thing is made in consensus and they know what they want to do and then they do it as a team.

I know we are doing that now in our auto factories, and of course that's what's causing a lot of layoffs, because when the workers get together, they give better ideas than the management. So when you have lead management and do away with the pyramid structure of managers, the needs are defined by the flat—everybody uses different terminology; Anthony Robbins is in town just now calling it the paradigm shift or something. When you shift the paradigm and you do away with the layers, then everybody is the manager. It's a team. It's called lead management as opposed to the boss passing stuff down.

I don't think OTAB will go that far unless we get that concept of having everybody involved in it. I know that's cumbersome and I know it takes time, but if people don't have a commitment, they're not going to take part in it and they're not going to do it.

Mr Farnan: Thank you for the fascinating presentation you've given us. I don't want to take away from the presentation, but there was a throwaway remark you made at the end that you can't buy dinner with a piece of philosophy. I think you probably wouldn't want us to become so pragmatic that culture and the arts and all of these wonderful things are lost sight of. For those people out there who are watching this, I think that yes, we have to come to terms with the new realities, the challenges of global competitiveness and all of these other things, but I think we would want, as a government and as a society, to uphold those values that we've always held dear and perhaps should enrich.

Mr Miller: I would agree with you, Mr Farnan and I guess it's a question of priority. I think you have to feed your stomach first before you feed the mind, but I don't think you neglect the feeding of the mind. I agree with you.

The Chair: Mr Wilson, did you have anything further?

Mr Gary Wilson: Yes. Actually, I'm glad my colleague from Cambridge picked up on that, but I took from what you said that things have to work; you can't just have pie in the sky.

Mr Miller: Yes.

Mr Gary Wilson: But I did want to point out too the local boards, where I think there will be a lot of participation at the local level, and just make sure you know that the reason it's not laid out in the legislation is that we have to discuss the issue with the federal government and the Canadian Labour Force Development Board as well as OTAB; that is, all these things have to be put in place before the local boards are set up. But we expect that going through that route, we will get that kind of participation that is so important that you mentioned, the front-line experience.

Mr Miller: I don't know how you'd do that. I was just reflecting my thoughts and hope you can do it, but yes, I do agree with you. I think the concept's great in getting everything together.

The Chair: Mr Miller, on behalf of the committee, myself included, I want to thank you sincerely for your interest in this matter, for your participation today, for taking the time to come here to Queen's Park and be involved. It's important that members of the community, yourself and others like you, take that initiative.

You have made a most interesting submission. You've obviously piqued the interest of a whole lot of members of this committee and you've demonstrated what I've believed for a long time: that is, government should send the \$1,000-a-day consultants home and look to the expertise and talent and skills in our own communities, people like yourself, for insights and, quite frankly, solutions to some of the problems we face. So the committee thanks you gratefully, sir, and we tell you we are indeed appreciative. I trust you'll keep in touch.

1700

The next group is being wired because they want to be mobile. I trust that the personnel are doing that right now.

In the interim, I want to indicate that this committee is meeting now in its second week. Copies of the legislation are available from MPPs' offices or the clerk's office. We will be meeting again on February 15 and we will be back in this room. We will be meeting tomorrow in committee room 1, although it's not televised, and on Thursday, although not televised. Members of the public are certainly entitled to and welcome to attend.

Tomorrow, Wednesday and Thursday of this week, the auto insurance committee will be meeting in this room, the Amethyst Room. That will be broadcast on the legislative channel in both English and, by way of translation, in French. Tomorrow at 2:30 pm, Mel Swart, former MPP for Welland-Thorold, will be making his submission, auto insurance critic as he was then for the opposition and long-time proponent of public auto insurance and innocent victims' rights. I would suggest that people who are interested watch at 2:30 tomorrow afternoon, either on the legislative channel or here at Queen's Park. They're, of course, welcome.

ASSOCIATION OF PROFESSIONAL TRAINING ORGANIZATIONS

The Chair: We're ready to go with the next set of participants, the Association of Professional Training Organizations, if those people would please come forward, have a seat, tell us their names and titles or positions. All of us have to be seated at a microphone to be audible.

I should indicate for the members of the committee and others watching that, by way of request and approval by the subcommittee and in view of the fact that it represents a number of organizations, any number of which could have appeared here in their own right and utilized a 30-minute time frame, this group is being granted a maximum one hour, because it is an omnibus group and is speaking on behalf of a number of organizations. We appreciate their candour in indicating that to the clerk.

Go ahead, please.

Mr Michael Hotrum: I am Michael Hotrum. I am a vice-president of APTO, the Association of Professional Training Organizations. Today's presentation will be presented by Merv Rosenzweig, who is the president of APTO.

Mr Mervyn Rosenzweig: And I am struggling.

Mr Hotrum: We get paid a lot of money as consultants, but we don't always work well with media.

Mr Rosenzweig: Is this at all visible to you? Yes? Okay.

My name is Merv Rosenzweig, president of the Association of Professional Training Organizations. I want to thank you

for making it possible for us to come here. We welcome the opportunity to express our beliefs and concerns about legislation which is going to have a profound effect on the future of this province and probably even a greater effect on our own membership.

By the way, before I get going, I just want to give some good news: I'll only take about 20 minutes. Some other news: I sure hope a little of the additional time will be spent with you asking us questions.

We're very pleased to be here. I'm not always going to be reading from this document, so forgive me if sometimes I let the overhead transparency get the better of me, but we'll try to stick to the schedule.

Both from a professional perspective and our business interest, our members are concerned that this legislation may not meet its objectives. We believe that Bill 96 in its present form may contribute to a severe weakening of the private training sector in general and a potential destruction of the private training organizations we represent.

Those are pretty strong words, so let's talk about how we're going to deal with this subject. Our agenda will really be in four parts.

In the first part, we'd like to talk about who we are. There are misconceptions about us, and we'd like to try to clear them up. We believe that people with an open mind will recognize that we are a very vital and viable and valuable resource. So the first section is really to talk about ourselves.

We then want to get into the three major requirements and requests we have:

One, we want to be a partner in this process. Right now, we feel we're on the outside, so the first subject we'd like to talk about is our representation on OTAB.

The next item we'd like to discuss is fair and equitable treatment for public and private training resources. We see no reason why both resources, valuable and viable, shouldn't be used and treated in the very same way.

Finally, we feel there should be some consideration given to trying to support the development of the actual supply side. Admittedly, the demand side is what the focus is mainly about, but not to give some consideration to the ability of the supply side may be missing a very valuable opportunity.

As a result of our presentation, we hope that some of you will feel more positively disposed towards our private training community and the opportunity to be partners in this fascinating endeavour.

We said we'd like to start talking first about ourselves, largely to clear up any misconceptions you may have about us. I don't blame anyone for that at all. Every institution suffers that situation. Let's take advantage of the opportunity of being here to try to give you a little clue as to who we are and where we're from. If you already know, please bear with me. I won't take too long at this.

Probably the easiest way to get at this subject would be to first look at both sides, both groups: the public training institutions and the private training. On the public side, of course, you have the colleges, universities, school boards and many community-based trainers. On the private side, you have private training firms like my own, like Michael's. We belong to the same association, called the Association of Professional Training Organizations, which is represented here today. You

also have on the private side vocational schools. They were represented by NACC, the National Association of Career Colleges, by Mr Hartley Nichol, several days ago.

The other two groups, the industry institutes and the human resource departments of major corporations and organizations, we feel are very well represented by the business seats on OTAB, so our focus today is really to discuss our interest, namely, the private training organizations. So far, so good? Okay.

According to a study undertaken by the Department of Industry, Science and Technology this past summer, there are some 2,400 private training organizations in Ontario. Some are large, some are small, some are tiny. The question is, what is their nature? We know the quantity. What about the quality? Are they fly-by-nighters? Are they here today, gone tomorrow? Are they one-man or one-person bands, shops, that you can't really count on, particularly for a major initiative such as OTAB? Are we all \$1,000-a-day consultants? Are we all high rollers? I guess with that, I'm suggesting the image of someone who doesn't really earn his keep. Are we that? Well, we think not. We hope those are strictly rhetorical questions.

1710

In order to try to get at some sort of truth, we'd like to start off by talking about two company profiles. Let's just take a look at two organizations that happen to belong to our association and just look at their activities in the last 12 months. In the case of one such organization, there were roughly some 375,000 people-hours of training delivered in a 12-month period. In the case of the second organization, there were over 250,000 people-hours of training. Now, those are big numbers. What does it mean in real terms? I know college is a long way away for some of us; certainly for me it's been a long time. But I checked around and discovered that 100 hours of in-classroom represents more or less two semesters, more or less a full course, whether it's English 101 or you name it. So you have roughly 100 hours per student who goes to university for in-classroom time.

What does that mean for these two organizations? From an equivalent point of view, in this case that organization trained 3,750 students for a full year and this private training organization did the equivalent of 2,500. These are not insignificant numbers; we feel we've had a major impact. I'd like you to know also that these two companies are not the largest organizations among the private training organizations in this province. We're probably four or five and six, so there are others that are larger and of course others that are smaller.

Both companies we picked are, incidentally, celebrating their 22nd year in business this year, 1993, so we're not fly-by-nighters. Both are wholly owned Canadian operations, and one exported the equivalent of \$1 million in goods and services to the United States, England, South Africa and Australia in this past year, so some of our organizations are doing a lot for export.

Incidentally, a lot of the members of our association either have offices in the United States or certainly have agents or associates who market their products and services. In fact, one of the members—his name is Joe Koenig—told me a few nights ago at our general meeting that over 90% of his revenue comes from overseas and the United States, only 10% from Canada. It begs the question, why? He would like to sell more in this country, but at least he's getting recognition.

In summary, we're not all huge but we certainly have quality when we're small, and we feel we are certainly well beyond the stereotype.

I'd like to spend just a few more minutes talking about our members, focused perhaps on some of the strengths of the private training firms. According to the report *People and Skills in the New Global Economy* done in 1991 by the Premier's Council, private training firms provide approximately 30% of the training in this province. Well, we think the number should really be closer to 50%. Given the fact that the public training institutions often seek our consultation and services as part of their own offering—for example, community colleges that will hire our own members to be the trainers—we believe this figure should be closer to 50%. But either way, it's a significant contribution to the training needs of the province.

We also believe—I guess the word is “chutzpah”—that we are the preferred supplier to Ontario industry. I realize that's a very strong statement to make, and when I tell you why, it might sound even more subjective, and it is. We don't have an official study. I guess we've had no reason to do so, although it probably behooves us to try now. But our study is based on our own observation; in my case, 22 years of it. Admittedly, I don't go to all the locations in Ontario, but my company's major area of business is in Metro Toronto, dealing with head offices and of course, through them, to their regional district offices across Canada.

I've probably done hundreds of competitive bids and I make sure when I didn't get it I'm going to find out who did, and even better still, before I do, I always ask, “Can you tell me who else is bidding,” and it's very seldom that I discover any public institution at all competing for the services for this organization. For that reason, observation through the years, we feel that we must be, in some respects, accepted by our clients as having something valuable to contribute.

In a way, it's no surprise because our focus is entirely business and government. Incidentally, we also, on occasion—I mentioned this earlier about providing services to the community colleges—in fact provide services, it's not our mainstream, to the universities and to organized labour.

My own company's done a lot of work for the Ontario Nurses' Association and, incidentally, although we didn't say it here, for the public schools as well. We've done a lot of training for principals through the Metropolitan Toronto School Board on the new approach to training in schools called child-centred learning, which I've no doubt you've heard about, where the teacher isn't doing all the lecturing from the front of the class. It was kind of news for me to discover this and a pleasure, of course, to deal with these other institutions, even though the mainstream of most of my colleagues is business and government.

Of course, when you have that, you become very specialized. We believe that, as a group, private training organizations are very client-focused. We have to be. We have nothing else going for us other than the fact the client will be satisfied with the service we provide and will ask us back.

We have to be highly flexible and the fact that we are not large institutions, the fact that we are very small by comparison to some of the larger public groups offering training, I think gives us—the gentleman just before me was quoting Tom Peters. I think all of the gurus are saying small is good,

be flexible. IBM is trying to break itself up into a lot of small entities, and it's all seeking the flexibility that comes when you're a smaller entity. We believe this, therefore, can be a strength in providing the quality of training that Ontario organizations should want to have.

Another feature of our membership is the fact that we're very niche-focused. Very few of us have a whole range of broad product line to offer. Instead, when you look at us carefully and peek beneath the blanket or something, you'll discover that a lot of us are very, very specialized. Some of us are specialized in computer-based training, others in video-based training, some in multimedia, so we have media specialties. We also have subject specialties. Some people are specialists in total quality management, others in team building, others in management development, sales training, you name it. The more specialized, niche-focused we are, the more successful we tend to be. We believe that this is a valuable asset for us and, of course, a very valuable asset for Ontario business to take advantage of.

We also have been very innovative in the use of technology. All of us read about the wonderful effects that were found in *Terminator 2*. I don't know how many of you saw the movie, but we all feel a certain pride to know that it's an Ontario company that created these effects: IMAX. So much of the wonderful technology we sometimes don't give ourselves credit for originated here in this province. The same is the case in training. How else can we expect to be exporters unless we can compete globally, and I know we are doing that.

Of course my last word was export. I don't want to reiterate what I already said, and the fact is that many of us do a lot of work and find a lot of recognition both inside as well as outside this province.

1720

I'm not going to spend too much more time on us, just to say, very briefly, that we do have continuous professional development. We belong to different associations: the Ontario Society for Training and Development, the National Society for Performance and Instruction, the Organizational Development Network, the Instructional Systems Association and so on. We are constantly maintaining a strong professional development, if only to save our bums because we are in a changing field and our clients are constantly being challenged and need to maintain and keep up to date in demand of their suppliers, the most up-to-date training.

In my company alone we provide six formal days of training, and that doesn't include a minute spent in trade shows, conventions or any such thing. We have accreditation. Many of our members have secured course accreditation from public institutions and professional associations and many are members of or collaborate with organizations which award credit or ensure industry performance standards.

We've tried to talk a little about ourselves and hopefully give you an impression that we are viable and vital. We are worth preserving, worth helping, and we should play a partner role in this endeavour.

We have three issues to talk about. I'll be brief with all of them.

The first issue is that we believe OTAB needs the voice of private trainers. The reverse of that of course is that private trainers would like a voice on OTAB. We don't have it now.

Despite the fact that 30%, at minimum, is what we provide, despite the fact that we have a vast experience, we're innovative and we focus on the Ontario workplace, nevertheless, we don't have a voice simply because only two of the 22 seats on OTAB are represented by the training and education sector, and neither of these two seats will be held by a representative of the private training sector. Why is it that those who meet almost 50% of the training needs of this province are not adequately recognized as key players in the labour force development of Ontario?

APTO, our association, recommends three things. Please increase the training education seats from two to three. Given the fact that at minimum we provide 30% of the training in this province, it will ensure that we earn and have deserved one seat. At least the voice will be there, the opportunity—and of course the same representation on the LTABs.

That is our feeling. We feel we have something valuable to contribute, but we need a voice to do so. Right now we feel we're on the sidelines. We don't really have a proper voice. By the way, incidentally, I think it's going to be very difficult for us to ever get a voice, given that unless you designate one for private training organizations, the fact is that the voting that takes place to designate who will be in those current two seats from the education training sector is voted upon by the education training sector members, most of whom—I believe 93%—are not private training organizations. We feel it may be difficult, almost a Svengali trick, to ever get a voice unless you mandate it for us.

Mr Hotrum: He's referring to the steering committee that makes determination of board members.

Mr Rosenzweig: The second issue we'd like to discuss is to have fair and equitable treatment for all training resources. In the material you'll find that there is a statement which we certainly say, "Thumbs up, yes," to. That is paragraph 4(1)15, which talks to the effective use of Ontario's diverse training resources. On the other hand, we want to turn a thumbs-down to paragraph 4(1)16, which suggests "to ensure...the strength of...publicly funded education systems." I think you've probably heard about this already; I'm not the first one to bring it up.

We really feel that there's a question: Which is the overriding statement? Will the issues of quality and cost-effectiveness be sacrificed to enhance the stability of the public education sector? Will the strength of the publicly funded education systems be assured at the expense of the private training sector? Will we be competing with our publicly funded colleagues with our own tax dollars? So we obviously say no and turn a thumbs-down to that. We don't want to be in that position. Currently we think we're going to be unless you make changes.

We feel that, given the fact that OTAB has a very ambitious program and mission—we feel that despite the fact that the public groups have made very serious attempts, given the fact that there's a lot of business at the end of their rainbow in focusing more of their attention on the business and the work-force sector, and I have nothing but plaudits for them to attempt a change in their focus and to be much more client-driven, nevertheless the question is, can all the public eggs be in the public basket? Do you want to take that kind of risk?

Finally, we say that Ontario has established proven resource and private training organizations. We want to be recognized as part of the solution. We are an integral part of Ontario's training community and want the opportunity to contribute to OTAB's success. We say yes to competition for ideas, products, imagination, intelligence. We're living in a free economy. Let's keep the freedom for ideas in the same spirit. As a result, we have some recommendations in order to ensure that a fair and equitable approach be taken towards both providers. We recommend:

- That all OTAB bids be addressed to both public and private training organizations, without any prejudice toward one or the other.

- That the programs of the Learning Network be accessible to both the public and the private training organizations.

- That government training bids from the government of Ontario, which is one of my dearest clients, address both public and private training organizations.

- That the customer be free to select the vendor of choice.

- That public training suppliers be able to bid on real costs, including subsidies; that they don't hide behind these in their bidding, because it just leaves us in the private sector at a disadvantage and, ultimately, this doesn't really help the buyer of the training in the long term.

We feel you should also look at the conflict-of-interest regulations to avoid brokers becoming trainers. There could be a real risk for that unless you do something about it.

So we believe it's in the best interests of the training community and we also believe it's in the best interests of the government of Ontario, as well as the private sector and workforce, to have a just and fair treatment of both sectors, both the private and the public.

The final issue is a little bit of a different focus: It's to improve the capability of Ontario training suppliers. We believe the importance to the province of the supply side, if you will, is so crucial that it's of value not to overlook it in terms of making sure that the training that's going to be provided is appropriate and as expert as it can possibly be. So some attention should be paid, we believe, to the supply side. Admittedly, the demand side is your focus; however, a caution: What good is more training if the training implemented isn't effective? So it's not quantity; it's the quality that also must count.

We also feel the Ontario Training Corp has provided positive support with publications such as Fact and Figures, detailing new trends in training; A Guide to Government Assistance Programs for the Ontario Training Industry; research on Trainer Standards and Accreditation; SkillsLink database; development and business assistance for the development of innovative training technologies and products; and a comprehensive resource centre. We just want to make sure that kind of support will continue under OTAB.

We feel that OTAB can also do a great deal to support research into the benefits of training, support training innovation and, finally, support trainer skills enhancement. Accordingly, we would like to make three recommendations. We recommend that OTAB fund training innovations, training technology, adult learning methods, marketing techniques; that OTAB promote partnerships, strategic alliances between private and public providers of training; and that OTAB facilitate accessing sector partnership funds.

1730

I'm afraid I went a little bit over my plan. In conclusion, I'd like to suggest that we believe that private training organizations make a substantial and valuable contribution in meeting Ontario's needs. Appropriate, effective and timely training and education will give Ontario people the ability to remain employable, to remain employed and to grow economically. But the success of this venture requires that all available training resources be utilized. It's especially important to Ontario that we, the private training organizations, be allowed to contribute our expertise and experience.

In this presentation, we've tried to give you a sense of our membership and the community that we represent, the some 2,400 training organizations in this province; that we are by and large a quality, vital resource deserving your attention. We feel that we have earned a voice and can provide valuable assistance if we are given a voice. We believe we need a voice in OTAB; we believe OTAB needs to hear us. We feel that fair and equitable treatment for all training resources is the way to go and, finally, that there will be big payoffs even with small investments in support for developing the capabilities of Canadian suppliers.

I would like to thank you once again for the opportunity for us to present our views. As citizens, employers and training organizations, we want to see OTAB succeed. We welcome a coordinated, rationalized training strategy that seeks to involve diverse players and develop a shared vision within the training community. We welcome the opportunity to become a partner in this process.

I hope you have some questions. I sped through that.

The Acting Chair: I'm sure they do. We have approximately 10 minutes left, because you didn't start until five after, beginning with the Progressive Conservatives. Each caucus has 10 minutes.

Mr Sutherland: Sorry, each caucus has ten minutes or three minutes?

The Acting Chair: Ten. This is one of the groups that we agreed to one hour.

Mr Sutherland: Is that right? Sorry, I didn't realize that.

Mrs Cunningham: When you talk about having another seat with regard to the education representation, from two to three, on that very issue, you're talking on the OTAB board in that regard?

Mr Rosenzweig: Yes, and the LTABs as well.

Mrs Cunningham: That's what I wanted you to talk about. We have to make a decision with regard to the local training boards. There have been some who have come before the committee—I'm not sure if I remember anybody who asked to have it in the legislation, but there may have been, because I haven't been here for the whole thing—but there definitely have been some who have asked us to specifically delineate the need for the government to have some direction to the makeup of the local training boards, although I think the majority have probably told us that they think it ought to be discretionary with regard to who was represented. But perhaps the government should say that these particular groups ought to have representation or should be considered for representation in the regs.

I'm just wondering if you've given any thought to the whole structure and where you would put most of your emphasis with regard to the service that you can provide in private training. Where would you put most of your emphasis in the structure of the thing?

Mr Hotrum: Are we looking at distinctions between the board and the local boards?

Mrs Cunningham: Yes.

Mr Hotrum: Because we don't distinguish. What we look at is that it's a regionalization of issues and it's bringing it down to the need level. But just as we look, one of the problems we find with a lot of the legislation is that it focuses very strongly, as it should, but perhaps not strongly enough, on the other side. It focuses very strongly on the demand, but it doesn't look at the supply.

We think it's very important to have representatives of that supply side, not just the public; that's the dilemma that we're finding. They're positioned directly within the legislation and we don't understand where there's no other mention of the resources, yet there's a statement that the most effective use of all training resources will be made. We don't understand why then it's required to indicate that the public somehow has some preference. We don't mind competing with the public. In fact, we want to share, but we want to share on an equal level and we want representation.

It's been said to us that the two members who are at the board level right now are representative of us. It's also been said to us that the business represents us. Neither is the case. We do not have direct representation. Perhaps one of the reasons that people didn't understand what private training organizations were, we weren't organized at that time, so there wasn't an association to come to and ask, but now we are organized and now we are asking for a voice. We feel that it should be at both levels: It should be at the OTAB level and it should be at the LTAB level. Preferably, at the LTAB level, it would be the firms that are operating within that regional area certainly.

Mrs Cunningham: You can be assured that we'll certainly be making that suggestion. My guess is that from the very beginning, because of the ideology of the government, that's why you weren't recognized. Can you tell me how the two education representatives have been chosen, and who they are?

Mr Hotrum: Yes, Douglas Light and Maria Gonzales. Douglas Light is on the Council of Regents and Maria is a community-based trainer who was at one time a private trainer, so there is that link, they claim.

I'm not questioning that they wouldn't represent the interests of the complete training sector—we don't question that—but we still feel that it's very important for us to have direct representation. We contribute 30% to 50% of the training within Ontario and we feel that without direct representation, there's going to be a lot of activity that will be done that we won't really be part of. We don't feel part of government policy. We don't feel that we've been advised on legislation or requested on legislation. We're being ignored, and it might be ideological or whatever, but it's not smart because if you want OTAB to be successful, if you want it to meet its objectives, then use all resources at hand.

Mr Rosenzweig: There is somewhat today a different life experience between those who belong to the public training communities and those of us who belong to the private. I think that both have very valuable perspectives and experiences to contribute, but the experiences are quite different. It's in that sense that I think the people who are going to receive the training will be better served and OTAB's mission will be better served if you have the benefit of both experiences, both perspectives.

Mrs Cunningham: Were you asked to put forth a nominee for one of the two positions?

Mr Hotrum: We were asked by the chair of the steering committee to propose individuals and we did propose an individual and she did not make the mark.

Mrs Cunningham: Would you expect, if we're stuck with this, and it would be for a short period of time, but if we are stuck with it—

Mr Gary Wilson: It could be a long period of time.

Mrs Cunningham: I can assure you, if you've made up your mind with regard to any numbers on this board before these public hearings have either resumed or completed, you will not be the government next time because—

Mr Sutherland: Dianne, you're questioning the witnesses, not us.

Mrs Cunningham: —the public is totally fed up with having to pay for public hearings where nobody listens to what they're saying. I can tell you right now, if we don't make changes, that will be the last straw. We've been through it already. I'm sorry, but that's the way it happens around this place.

1740

I'm just asking you if we're stuck with the two—by the way, you're not alone. The education community has asked for more representatives.

Mr Hotrum: That's correct.

Mrs Cunningham: Youth have asked for more representation. They feel they've been left out. Do you think there would be a hope of a private trainer being appointed to that board given the situation in the next couple of years?

Mr Hotrum: I can only say that the steering committee is 93% representative of the public side. If it's a vote and if it's an ideological split, then we're stuck, we're not moving anywhere. Then we have to look at other mechanisms like the reference committees, the council committees. But I don't understand the intransigence. I mean it's not as if we're going in to buy the store or take it over.

I was a school teacher, I was in the public sector, I supported the NDP government and I'm in a situation where I'm going to be changing careers again. It's ludicrous. I'm not a high-roller; I'm just an individual consultant. There were no jobs in the school market; I set myself up with a business.

Now I find myself being squeezed out by the same government. I appreciate a lot of the policies being made by them, but certainly not the implementation. I don't understand the intransigence in refusing to allow what is an existing player in the marketplace and what can be a very strong player as an export market. What's going to happen if we are squeezed out is that there are going to be two players. The public is going

to hire us and we'll be public. Then we're going to end up with the Americans coming in, or the Europeans. There'll still be private training products sold, but they won't be developed in Ontario.

Mrs Cunningham: The answer we got with the child care providers, day care providers, was that if they made a profit, they weren't eligible for any additional government money. I'll be fair on that.

Mr Hotrum: But the interesting thing is that in one situation we're competing now with the public school boards. The public school boards are moving beyond what we consider to be their mandate, and they're moving beyond it using tax dollars. They're subsidizing and underbidding us to private industry. They're out to make a profit. It's no different. The difference is that their profit rolls back into the government. If they were set as an extant group at arm's length and had to account for the dollars they invested and the dollars they accrued, then they would also be a profit-making institution.

Mrs Cunningham: That was unheard of, at least for as many years as I was on the public school board in London.

Mr Hotrum: It's happening right now in the Halton board.

Mrs Cunningham: For some 15 years we were not allowed to compete with the private sector. We were not allowed to advertise for Pepsi or Coke with our basketball nets and those kinds of things. Times are changing rapidly, aren't they?

Could you give me your view, please, on the costs? Have you looked at the costs of this OTAB? We have had some interesting comments with regard to fees. We had some interesting comments earlier today, I thought, on a training fund for workers. I'm asking you to respond to perhaps one of the directions that government may be moving in because the Ontario Federation of Labour has recommended it, and that's a training tax. Could you respond in that way, give us some ideas on what you would see working? By the way, the workers contributed in one of the funds today. If we're going to go that route, I'd like to have your ideas on that.

Mr Rosenzweig: I don't know if we have any.

Mr Hotrum: Yes, we do have some ideas on it, some personal ideas. We haven't discussed it as an association, because primarily the idea of training levies has raised a lot of hackles.

Mr Rosenzweig: It hasn't been our focus.

Mr Hotrum: No, it hasn't been our focus, but I can understand the reasoning. We are undertraining our people. We are not spending adequate dollars on training. We don't spend adequate dollars on education either, but we don't spend adequate dollars in preparing people for the workplace, period.

Now, if that's your requirement, if you want to somehow force a situation, then you can look at a tax levy to force that situation or you can look at return on investment, you can look at performance potential. Is training actually increasing performance in the workplace? Does it save dollars? If a lot of research is done on that side, and a lot of research is being done through the United States at present and a little bit in Canada—but a recognition that if we do intervene with the training program, are we increasing performance, are we increasing profit, are we increasing quality and can we put

a dollar figure on that? Then it becomes a perspective of looking not at training as an expense, but training as an investment.

That way, if we did research and we actually had some figures, then to turn to a training levy wouldn't be necessary, because a training levy is just a change in attitude; that's all it comes down to.

There are certainly those companies that will need assistance because they can't afford adequate training, but then there are predominantly many companies out there that don't look upon training as an investment. That's true of a lot of people who end up in our field as consultants, because they've been laid off by the companies they worked for as trainers, and then when they need them, they bring them back in the fold again.

Mrs Cunningham: I can assure you it wouldn't be my idea to have a training tax.

Mr Gary Wilson: Thanks a lot for your presentation. It was really complete and gave us a good overview of what the private training sector is involved in. I'd like to go over some of your organization, though, how many people you represent and how long you've been in existence.

Mr Rosenzweig: We've been in existence since May 13. Basically, what happened was that we sent out the call about a month earlier and met for the first time on May 13, a gang of us, about 60 people. That was a very quick formation of an association, particularly in our business, which traditionally, over the years, has not had success in organizing. We're all very proud of our knowledge and capabilities and are very competitive. With that kind of background, we just never succeeded in organizing.

However, we did see the legislation, I think to quote the gentleman who was sitting before me, as both a threat and an opportunity, and we felt, "We'd better organize, because that's the only way the government can deal with us, if we are organized."

We currently have just under 100 members. We have chosen not to try to grow too quickly because, frankly, our focus has been on the legislation and not on growing our membership. But I can tell you that we have not come across anybody who is not interested and concerned. There's a tremendous concern out there. So we believe we are representing fairly the sentiments of the 2,400 training organizations in this province, even though they're not necessarily members of our association today.

Mr Gary Wilson: There are 2,400, as you point out, and you have 100 members. Is it that each one represents one of those organizations; that is, 100 out of that 2,400?

Mr Rosenzweig: Yes.

Mr Gary Wilson: That strikes me as being not that representative, in all frankness. The other thing is, how geographically inclusive is that?

Mr Hotrum: First, we've only been in operation since May. But predominantly our energies are devoted, within this recession, to keeping our businesses afloat, as well as responding to an OTAB initiative that is on a fast track. So to assume that we somehow have dollars and opportunity to go out and make a massive membership drive—we don't have it. We want to represent more than the 70 to 100 members we've worked up till now. We think that's quite a leap, considering it's May,

June, July, August, September, January, the Christmas season gone.

We've worked very hard to get where we are, and that's one of the things we mentioned here: support for a training service sector infrastructure. We need the assistance of the government. The only reason we knew 2,400 is because the federal government did a survey. We don't have that material available to us. We have the report, but they won't give us the names for us to go out and call on.

Geographically we've gone as diverse—still only in Ontario. We'd like to make it broader, but we're stuck to Metropolitan Toronto, we've got Oakville, we've got Brant county, Brantford, Kingston, Orillia. Those are small forays where we've succeeded. But it's all been predominantly word of mouth; we haven't done any membership drive. We fully intend to do that, but again it's a question of support. I think it's very imperative that the government try to amass its resources and try to make those resources accessible and useful.

Mr Rosenzweig: We should also say, Mr Wilson, that we found out quite by accident that there is a small group in Brantford, and discovered another group in London, I think it was. We know there are private training groups being formed in other provinces; I know in Quebec and in British Columbia. We haven't met them; we haven't connected with them.

When Michael said that our focus has been on OTAB because it's been fast-tracked, from our perspective, apart from running our businesses, we've been very involved—we on the executive in particular—with just trying to keep up, find out what's going on and report to our members and manage to get certain paperwork done, such as this presentation, and at different stages trying to keep up with our colleagues who are on the educational steering committee. A lot of things have happened, a lot of things to keep up with, so we've been kind of busy.

1750

Mr Gary Wilson: You've mentioned the fast-track nature of OTAB a couple times now. I want to suggest that many other presenters have said, "Get on with it." They've felt it's been in the works a long time now already, stretching back to the previous government, of course, and given the state of training in the workplace now, or in society now, people want to see a new structure in existence.

Mr Rosenzweig: Maybe "fast track" is not the exact word. Maybe it's just that there have been a lot of things for us to keep up with as this organism begins to unfold.

Mr Hotrum: No, I think "fast track" is the word. If you're looking at it as an idea that we've never had a training strategy before, then certainly we're long overdue. But that's not to say that we should somehow jump into the folds and say, "We now have one," and do it in an inadequate and inappropriate manner. It's foolish for us to assume that because we need it, we'd better have it. We should be looking at why we need it, how we can best use it and how we can put it together. It's an evolution. It's not just an assumption, "Here's the piece, here's the machine, and there it is." It's going to be an evolution. But we have to have the players to evolve with it.

Mr Gary Wilson: I think that's what we're trying to get in place now, and there seems to be a lot of agreement that we have the main players now. In fact, I think one of the significant

things of the OTAB project is that it's user-driven; that is, the people who need the training and are seen to potentially need the training are the ones who are going to have a major say in the design of the training programs. My colleague would like a question.

Mr Sutherland: First of all, you mention that it's 93% public sector on the education training steering committee. That's not consistent with the list I've seen. It would show that you have 21% private trainers representation. I'm not sure which lists we're using.

At any rate, there's a couple of things. You mentioned that paragraphs 15 and 16 of the objects are contradictory. I think they're meant to be complementary in terms of recognizing that there is a role for both the public and private sectors. That's what those two paragraphs do: 15 says the diverse resources, 16 says recognizing the investment.

Mr Hotrum: Is there a definition of diverse resources? I don't see private indicated.

Mr Sutherland: Diverse resources would mean public, private, whatever resources.

Mr Hotrum: So public is stated twice, then.

Mr Sutherland: No. Let me be clear here. You're saying that you're concerned about exclusion, and I'm telling you that paragraph 15, by saying diverse resources, means you can use whatever resources are available within the province: public, private, community-based. That's the intent of what's there. Paragraph 16 says the investment in the public sector. I think everyone would agree that a great many tax dollars have been spent there. People would expect the government to ensure that it maximize that investment as well. We're saying there's a role for both, and they're meant to be complementary to each other, not contradictory.

Another thing you mentioned is about private trainers being involved, particularly at the local level. We had a chamber of commerce in here today that said it has many private trainers are members of the chamber and of other business organizations. Obviously, there will be opportunities at the local level through those organizations. And, as I would expect from other representatives to the groups, they aren't going to come and wear just one hat: They'll wear two hats. There may be an equity group person who's also a businessperson or a labour person, that type of thing, depending upon how it breaks out. So there are opportunities for people to wear more than one hat at the local board, and I hope at the provincial board as well.

The Acting Chair: Did you expect a response?

Mr Sutherland: If they want to give a brief one, sure.

Mr Hotrum: Actually, first I have a comment and then a question. The comment is that, regardless of the percentages on the steering committee, it still ended up that the private trainers were not directly represented. We are not directly represented. You have the NSPI member, who just happens to be a private firm, Margaret Williams, but that's just because she was the president at the time and was the designate. Then you also have the career colleges, which we don't necessarily consider to be the same thing as private firms, which we are.

Mr Sutherland: Okay. That's where the difference is coming in.

Mr Hotrum: The question I have is that I don't understand why the decision has been made that representation is already adequate, that somehow we're ready to go, that there can't be a new player on the scene. The point to that question is that if the intent is to support the private sector as well, then why isn't it indicated in the legislation? We can't live with intentions. We can't wait for regulations. All we can assume is that it's excluding us.

Because of the actions we've seen—and one of our members will report next week—we have seen the public school boards set themselves up as private enterprise, hiding their grant money, using Microsoft—well, I won't say. They're using questionable means in competition. Where are they getting their software from? Are they getting it as educational software and then using it in the workplace and charging a rate? All we want is a fair field. We're not competing with someone who is going to work out there and be able to underbid us. We just want a situation where we've got some opportunities. There are lots of opportunities. Let's work together on it.

Mr Offer: Thank you for your presentation. I'd like to compliment you on the exhaustiveness with which you've dealt with this public-private, private-public issue. It is an issue, and it has been brought forward many times. It's curious to me that every time it's brought forward there is some response by the government members to say, "That's just not the case." Everyone who's coming forward is saying: "But this is what the legislation says. If that's not the case, change the legislation so it will be what everyone says it's going to be." They seem to stop just before they're going to change the legislation. Hence, there is more concern out there because the paragraph says, "To seek to ensure, within the scope of OTAB's operations, the strength of Ontario's publicly funded education systems."

Mr Sutherland: Read 15.

Mr Offer: If I read 15, it says, "To make effective use of Ontario's diverse educational and training resources." One says to use the different sources, but the next says to ensure that the publicly funded education system is used.

I hope the government members are listening, because there's a real concern out there. You are, by these two phrases, doing one of two things but not the third. The first is that you are either setting the framework to exclude private providers of training or, second, you are setting up a priority, that the first chosen will always be the public education system, no matter what the product being provided is. But the third cannot be the case with 15 and 16, and the third is that the public and private are equal and receive the same treatment. It cannot be; 15 and 16 exclude that option.

You view this which way: that it will seek to exclude private providers of training or set a priority system between the private and the public?

Mr Rosenzweig: We fear it will be interpreted to lean the public money to the public sector of training. One way or another, people get a message.

Mr Offer: I appreciate that. There's something that you said within your presentation—if I can, I'll try to bring it back—that there is almost like a competitive critical mass, that when the private sector is involved, when the private is working with the public in training, there is more initiative in

terms of advancement, in seeing what's out there, what's needed, what should be provided and how it should be provided. Is that a fair sense as to where you're coming from?

Mr Hotrum: Yes, and we want to maintain that. It's the free flow of information and ideas. We've got situations now where the school boards and colleges are moving into areas they've never been involved in before. We've built up years of experience, and now they're going to suddenly go in and serve that immediately.

1800

Mr Offer: You are not saying that the public education system should not be involved in this area.

Mr Hotrum: No, we are not saying that.

Mr Rosenzweig: We couldn't say that.

Mr Hotrum: It's inevitable. There's a convergence. It's going to occur. We see that as professional trainers. Training and education have been distinct for too long. They are different, but there's a focus. We're no longer just dealing with skills, we're no longer just dealing with a broader education. What we're dealing with is preparing people for a life of change, a life of uncertainty. We've got to give them the skill sets to cope. Their skill levels will change. What they do over life will change, as I've gone through a number of careers.

Mr Offer: You're saying that, based on your philosophy, you can work and should work and are prepared to work closely, hand in hand, complementary to and in cooperation with the public education system, but the legislation flies in the face of what it is you want to do.

Mr Hotrum: The legislation, whether it flies in the face, certainly doesn't make it clear. If there's a clarification required, we welcome that. If there's a change in the legislation to clarify that, we would certainly welcome that, but the presumption that we are already well represented and the presumption that there is a dichotomy between the public and the private are incorrect.

Mr Rosenzweig: I agree. It's not healthy and it's not productive to assume that there's a natural antagonism between the public and the private sectors. That shouldn't be the case, but unless we are treated equally, it will be very difficult for us to work together as equal partners.

Mr Offer: Hence the need, through your presentation, of clarifying, amending and refining paragraphs 15 and 16 to set it out in legislation, and also the need to have representation on the board. That would ensure that that cooperation and effective work can continue.

Mr Rosenzweig: It could be a positive thing.

Mr Hotrum: It has to be. We're striving for Ontario's future, not for a particular ideology or attitude or concern or self-interest.

Mr Offer: Then let me ask you this: Why do we need this OTAB? From your presentation, one could say: "We've been working with the public system. We've been working with the needs out there. We've been meeting the competitive demands of society. There are others who are doing the job we are doing, thank you very much." Why do we need this

particular framework? The government members snicker on the other side, but you are the experts in the field, and maybe—

Mr Hotrum: No, I don't default the spirit of OTAB. The implementation is another argument. The framework, the way we've structured it, is also another argument. But the need for it is there, and that's not what we're disputing.

Mr Offer: Are you anticipating that all training programs in the government will find their way under OTAB?

Mr Hotrum: No, but certainly the subsidization is a big question. If a company is going to move ahead with a training initiative and it can get government subsidy to pursue it, then it will look to government, but it's not necessarily that the government will somehow be the engine of that decision. What we'd like to see is: "Here's a service. If you want it, come make use of it. If you don't, then maybe you'll go elsewhere."

The government should be there doing the research, assisting, doing the promotion. If you have to, prompt training in certain areas if we have to move towards certain industries as opposed to other industries. But you're there to establish the framework, you're there to ensure that everybody is working from the same game plan, but not necessarily there to impose.

Mr Offer: Not to impose, I know, but—

Mr Rosenzweig: Like any institution, it can be abused. On the other hand, it can as an institution be positive, in the sense of stimulating activities where none exist today. But it's hard to know at this stage of the game. The potential for good is there; the potential for abuse is there.

Mr Offer: My concern is that, from some of the information we've received, there are something like 44 training programs in the province. It is clear that about 22 may find themselves under OTAB, and of those 22, 15 are right now under the same roof. So there is a certain expectation that is different from what it actually is.

My question is this: You've spoken about OTAB and its philosophy. What happens, in your opinion, if 15 and 16 are not changed and you do not get representation?

Mr Hotrum: I think I'll be looking for another job. Maybe I'll go back and become a teacher again.

Mrs Cunningham: It's like Bill 40: It just drives you out, doesn't it?

The Acting Chair: I want to thank you very much, Mr Rosenzweig and Mr Hotrum, for being here today. You have certainly given us a lot of food for thought.

Before the committee adjourns for the day, I would like to thank the staff and the translation services for their unending work.

I remind everyone that the committee begins at 10 am tomorrow in committee room 1 and that the finance and economics committee will be sitting here. I see a correction being made at the back of the room. In any case, it's 10 o'clock tomorrow morning. Please check the sign on the door before you enter. Thank you very much, everyone.

The committee adjourned at 1807.

Substitutions present / Membres remplaçants présents:

Cunningham, Dianne (London North/-Nord PC) for Mr Turnbull
Farnan, Mike (Cambridge ND) for Mr Huget
Martin, Tony (Sault Ste Marie ND) for Mr Waters
Ramsay, David (Timiskaming L) for Mr Conway
Sutherland, Kimble (Oxford ND) for Mr Dadamo
Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND) for Mr Klopp
Witmer, Elizabeth (Waterloo North/-Nord PC) for Mr Jordan

Also taking part / Autres participants et participantes:

Hansen, Ron (Lincoln ND)

Clerk / Greffière: Manikel, Tannis

Staff / Personnel: Anderson, Anne, research officer, Legislative Research Service

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- *Wood, Len (Cochrane North/-Nord ND)

*In attendance / présents

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Legislative Assembly of Ontario

Second Intercession, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 27 January 1993

Standing committee on resources development

**Ontario Training and Adjustment
Board Act, 1993**

Assemblée législative de l'Ontario

Deuxième intersession, 35^e législature

Journal des débats (Hansard)

Mercredi 27 janvier 1993

Comité permanent du développement des ressources

**Loi de 1993 sur le Conseil
ontarien de formation et
d'adaptation de la main-d'oeuvre**

Chair: Peter Kormos
Clerk: Tannis Manikel

Président : Peter Kormos
Greffière : Tannis Manikel

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Wednesday 27 January 1993

The committee met at 1040 in committee room 1.

ONTARIO TRAINING AND ADJUSTMENT BOARD ACT, 1993

LOI DE 1993 SUR LE CONSEIL ONTARIEN DE FORMATION ET D'ADAPTATION DE LA MAIN-D'OEUVRE

Consideration of Bill 96, An Act to establish the Ontario Training and Adjustment Board / Loi créant le Conseil ontarien de formation et d'adaptation de la main-d'oeuvre.

The Chair (Mr Peter Kormos): It's 10:40 am. I want to apologize to the members of the committee for the delay in starting this morning, and I want to apologize to persons participating as presenters for the delay in starting this morning. We appreciate that this is an inconvenience. I assure those presenters that they will all receive their full allotment of 30 minutes.

I indicate, by way of explanation, that it had been agreed yesterday between this Chair and the Chair of the finance and economics committee, after being requested to do so by the Chair of that committee, that this committee relinquish room 151 to that committee. In the capacity of Chair, that was an executive decision which traditionally is within the power of the Chair. That decision on my part was announced to the committee at least twice on the record yesterday during the sitting of the resources development committee and was made known to Mr Hansen, the Chair of the finance and economics committee, and to Mr Franco Carrozza, who is the clerk of the finance and economics committee.

Their request for room 151 began during the course of last week and carried through into Friday and indeed on into Monday and Tuesday of this week. I felt it was a fair accommodation of their request. I indeed attended briefly at the finance and economics committee meeting yesterday morning and put on their record that I indeed had extended that offer. That was after the Chair of that committee, Mr Hansen, had indicated that there was no cooperation from me about the use of room 151.

When we arrived here at 10 am this morning to start these hearings, Mr Hansen refused to leave room 1, creating a great deal of confusion for participants in these hearings and no small amount of embarrassment for any number of people who don't expect to see that sort of thing happen. I sincerely regret what has occurred. I apologize again to all the staff people, the members of this committee, the participants and members of the public, both those who would be interested in these OTAB hearings and those who would be interested in the auto insurance hearings, because indeed the auto insurance hearings are similarly delayed by at least one half-hour. I cannot overstate my

regret about the conduct that resulted in our not being able to use this room in a timely manner.

I should indicate that the Provincial Building and Construction Trades Council of Ontario will be rescheduled to accommodate them.

MICHAEL TABOR

The Chair: Our first participant is Michael Tabor. Sir, please tell us, if you will, any background you wish to, your comments on this legislation. Please try to leave the second 15 minutes of the half-hour for discussion and questions from members of this committee. Welcome.

Mr Michael Tabor: Thank you. In terms of background, I've been a trainer for about 20 years, primarily in publishing. I'll try to be brief; I've heard what you've said. I have three kinds of recommendations this morning based on my reading of the bill and my discussion with my colleagues in the industry. The first one is really rather brief.

I feel that the employees of OTAB should themselves be quite up on modern trends in training. I'm recommending that they first of all receive a quarterly seminar on current trends in training, and that OTAB publish a selection of courses so that any employee, at no expense to himself or herself, can take a single course per quarter.

I think that in all kinds of government agencies there's a perception on the part of many in the public that the people in the agency are probably bureaucrats first and stand very little chance of actually knowing what it is they're administering. I think this would go a long way towards ameliorating any such feeling on the part of the public. I think it would be generally a good thing for those employees, and I think it would increase the quality of OTAB's general operations. I wouldn't even mind seeing that legislated, although it could simply be taken as a recommendation for the eventual board.

My second recommendation concerns directors. Currently, the bill provides for seven directors representing business, seven representing labour and two representing educators and trainers. A great many people I've talked to feel that this is severely imbalanced. Surely what the educators and trainers are doing is at the very heart of what OTAB wants to accomplish, so at the very least they should have equal representation on the board.

Further, colleagues of mine within the training industry feel that it's not generally recognized that educators and trainers are two quite different kinds of fish, and that one should really separate them out and give equal representation to both.

Trainers, particularly, feel that educators, by which they mean those in universities and community colleges, are not truly providing training at all, and that even to the extent that they may be said to be providing training,

they're certainly not providing the kind of timely, focused, adaptable training that, may I say, genuine trainers provide.

I'm recommending that there be four directors for business, four for labour, four for educators and four for trainers themselves. I'm cognizant of the fact that trainers, being in business, can easily come up against conflict of interest, but the bill does provide for the board to define conflict of interest, and I think it's certainly well within the capability of normal human beings of goodwill to resolve that kind of thing. I'm not sure what the original drafters of the bill had in mind by giving only one position on the board to trainers themselves, but it's the single thing that my colleagues mention to me most in this regard.

My third set of recommendations has to do with training materials. I think everyone knows that the vast majority of training materials are now produced on people's desk tops electronically with what's called desktop publishing. The trouble with that, of course, is that there's vast incompatibility across computers, across software packages. In an effort to get at this kind of problem, the International Standards Organization has spent the last 20 years creating a standard called SGML, standard generalized markup language. It is now the standard for creating, databasing, transmitting and archiving text by organizations, businesses and industries all around the world. My brief mentions that in Canada, the Department of National Defence, Statistics Canada and the Canadian Standards Association have adopted SGML; the United States Securities and Exchange Commission; the international aerospace industry; the American Association of Publishers and their counterparts in Germany; Her Majesty's Stationery Office; the American Chemical Society and on and on.

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My point here is twofold: I think that trainers in Ontario, in order to be truly competitive not only in Canada but globally, should be creating their training materials in some sort of standardized way. This is not to say that the materials themselves, in terms of content, are standardized; it's not to say they all look the same when they're printed and so forth. It simply means that the underlying electronic representation of these materials conforms to an international standard.

I feel that OTAB should adopt SGML as the architecture of choice for its own internal information systems, as a great many government agencies have, not only in Canada but around the world. I also feel that OTAB should undertake initiatives that will allow producers of training materials to create and maintain their materials in SGML. I think this will give them a competitive advantage around the world. I know there are a great many government bodies not only in Canada but elsewhere, and a great many entire industries as well as a great many of the larger multinational corporations, that simply will not accept printed materials of any kind unless an SGML file is also delivered electronically at the same time.

If OTAB were to promote the use of SGML in Ontario, it would therefore do three things:

(1) Increase the competitive advantage of Ontario training firms.

(2) It would allow Ontario training firms to move forward into the electronic age very efficiently and therefore increase their profitability.

(3) Parenthetically, I might add as a third point that Ontario itself is actually a hotbed of SGML development. There are a great many Ontario firms that do business in this area, and the spinoff business for them would not be insignificant.

Mr David Ramsay (Timiskaming): Thank you very much for your presentation this morning, Mr Tabor. I'd like to enter into some sort of dialogue with you. One of my criticisms about the establishment of OTAB has been the balance of the different partners on the board, but I don't agree with your position, and I'd like to tell you why that is: I think the government's is skewed a little too far one way and maybe you've brought it back just a little too far.

I think the philosophy in developing the numbers as they are—though I think they're not quite in balance and I would like to see educators-trainers have a little more say on the board—is that services that are delivered by government today should be primarily client-driven, if they can be, and you as a trainer would be the provider of the service. I think for too long, in government, we've had the providers sort of dictating what the service should be rather than that it be client-driven.

I think the sense from the private sector has been that in order for us to really get involved with training—as the private sector has probably been a bit negligent in in Canada, this jurisdiction—it has to have a say. They really need to be having a say in how the dollars are spent so that their needs are addressed. So the idea of putting this together is to make sure that the workers and the employers really have a say as to the direction of training.

Obviously, trainers and educators have to be there, and I think there are not enough educators and trainers on the board. I will be preparing amendments to try to bring that balance back, but I don't agree, like you have now, that you've equalized it, with the client and the provider there. I think it's a little too far. I just wanted to say that I disagree and to give you an opportunity to enter an open dialogue with me, if you'd like.

Mr Tabor: I'm not really married to those figures that I have in my brief either, and you're quite right that I was simply responding to the vast imbalance. My point is really more generally that there should be more representation from those people. I feel that pretty strongly at the board level, because I really feel that OTAB should know what it's doing and I think it really needs the perspective of professional trainers and educators. I wouldn't be prepared to defend my exact figures very far.

Mr Ramsay: I'm very pleased with your recommendation. As you say, the idea that we should be adopting a standardized computer language and communication system for OTAB so that we could enhance communication I think is excellent, because I think we really have to move into the modern era. In fact, the type of OTAB training system that I envision would be really a series of storefront operations. Instead of what OTAB is, a big top-down operation, where

we're going to build a big bureaucracy from the top and then later on put in the little pieces in the community, I would do it in reverse; I would start at the local level.

I think your idea of having a standardized communication system so that the data in each locale can talk to itself and to each other is the right idea. I think that's something that will need to be looked at, because the importance of what the government's trying to do here will not be basically what this bill addresses, and that is setting up the umbrella board for the province. It's going to be at the local level and as you pointed out, the communication between the different storefronts or whatever offices are eventually established will be of paramount importance to the whole operation and the success of it.

Mr Tabor: In that regard, since you've brought up transmitting information around the province, we'll add that SGML is the international standard for transmitting text across telephone lines. That's because it's fast and it's very inexpensive. As a little test, this sheet of paper was created in a software program called PageMaker. To transmit this through the phone line in PageMaker form takes about three minutes; to transmit the corresponding SGML files takes less than three seconds.

Also, I think it's perhaps important to realize that none of us can be really sure what's going to happen to paper overall. We most certainly will wind up with CD-ROM technologies, perhaps extremely small, hand-held computers of the kind that Apple is starting to bring out with the Newton technology. In 10 years, it may be that the primary way trainers deliver their training materials is by computer.

The federal government, of course, through the Canary project, is contemplating wiring this whole country, and it's a dead certainty that the standard for transmitting information across those lines will be, or at least will certainly include, SGML. I don't think there's any doubt about that whatsoever.

Mr Ramsay: Yes, I think that's the way we have to go. I've been a big fan of electronic highways or digital highways, and I'm glad to see that the Canary project's finally getting under way.

Mrs Dianne Cunningham (London North): Thank you very much for coming this afternoon—or this morning; it seems like this afternoon already for a lot of reasons I don't want to talk about.

It's always interesting to get recommendations where people have seriously looked at the makeup of OTAB itself, and that is one of the responsibilities of this committee: to take your submission seriously.

I wonder if you could talk at all about your experience with the local boards in the community. Have you had experience with the local boards?

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Mr Tabor: No, I haven't. Partly, I'm communicating a lot of concern on the part of my colleagues. I have certainly sat in on think tanks conducted by the Ontario training and development corp and things at that level.

I was initially very pleased about the idea of local boards until I went through the act more carefully and realized that not only were there those, but there could be

special councils. I had an initial bad reaction that said: "Why are we dividing this up geographically? Perhaps we should divide it up into special interest groups as well." But I now realize there's an accommodation for that other sort of thing, so I feel quite happy about that.

Mrs Cunningham: So this basically is your recommendation around the main OTAB board itself. Your emphasis is the underrepresentation on behalf of educators and trainers.

Mr Tabor: Yes.

Mrs Cunningham: Both public and private.

Mr Tabor: Yes.

Mrs Cunningham: Do you have any recommendations for the committee with regard to the balance of public/private trainers? Public trainers are colleges and universities. We've had some input on that and I'm just wondering what yours is; the balance, I mean.

Mr Tabor: I'm not speaking for myself here, but I'll tell you that in talking with my colleagues I've encountered, to be blunt, a great deal of concern about the possibility that OTAB, being a government board, will naturally prefer to send as much training the way of community colleges as possible, that it will prefer the kind of approach they have to the approach of the private sector, and that the whole emphasis on training in the next decade, which is not only coming from OTAB but also is endemic in the whole western world, will see a rise of raw credentialism of a kind that we don't need at all.

In fact, one of my colleagues put it this way: We can't discriminate now on the basis of age, race, sex, disability or practically anything else, and yet human beings have a natural need to rate and sort each other and create hierarchies. What will happen is that half the people in the western world will now make their living training and the other half will use all their spare time being trained and getting more and more credentials, and more and more certificates and degrees and pieces of paper. That's not going to help anybody be more productive or in fact do anything for any of us at all.

That's almost verbatim from two different people. I encountered a vast amount of cynicism in that regard. So yes, I really would like to see OTAB be perceived to be playing quite fair with the private sector.

Mrs Cunningham: You might look at section 4, paragraphs 15, 16 and 17 in that regard. There's been some criticisms that the emphasis has been on—and you've stated it yourself, I believe, correct me if I'm wrong; there's too much emphasis on the publicly funded education systems and no recognition of the importance of private. Our party will be making an amendment in that regard, but if you have any suggestions as to what you would like to see and the wording of that amendment, we would appreciate hearing from you.

Mr Kimble Sutherland (Oxford): I think I need to pick up on that point to emphasize that as has been stated on several occasions during these committee hearings, paragraphs 15 and 16 are complementary. Paragraph 15 talks about using the "diverse educational and training resources"

in the province; paragraph 16 talks about ensuring the strength of the public systems there and that as a result—obviously, any government has the mandate to be accountable to the taxpayers for the money it's invested. I think everyone recognizes there has been a very strong investment in that system. So the two are meant to be complementary, not contradictory. I think most people have recognized that there is a role for both public and private in terms of meeting the training needs in the province.

In your recommendation 2, you talked about the number of directors, and I think Mr Ramsay kind of dealt with this a bit in his question, but in terms of your wanting more representation in terms of the educators and trainers on the board, you said you weren't necessarily holding strong to the numbers you put forward. I guess I just wanted to re-emphasize the point that this is meant to be a consumer-driven process in terms of them having more input than they have had in the past.

Are there any other recommendations you haven't highlighted here that you'd like to see the training framework develop? That's really what OTAB is, setting a provincial policy framework for the training before we get the establishment of the local boards to meet the local needs.

Mr Tabor: I understand that meeting Ontario's training needs is the thrust of the bill. My colleagues and I are frankly hoping that one strong result of OTAB's work will be that Ontario training firms are more competitive outside Ontario as well.

Mr Sutherland: In terms of developing here so they can do export of their services?

Mr Tabor: Yes. I simply didn't quite see, in the time allotted nor in the terms of the bill itself, any very strong vehicle for me to be making that point, and I frankly don't have all my ducks in a row on that issue anyway. I'll just mention that as a little emotional overtone to my brief.

Mr Tony Martin (Sault Ste Marie): As I think was referred to by a number of my colleagues on the committee, you've brought some strong concern about the issue of the membership of the OTAB board itself. It's not the first time we've heard it. There are lots of groups out there that have the same concern. I guess, because so many are coming and raising it, it must indeed have some credence as an issue.

We've had groups come as well to say that we should include youth representatives on the committee, we've had groups come to say we should have the unemployed on the committee, and now you're offering another makeup of the committee.

The committee, as proposed by the ministry after great consultation, is in my mind quite simple and clear in terms of its makeup and what happens behind the scenes to arrive at it; the numbers by the business community and by the labour groups could in fact consider some of those things.

In your mind, while including the people you think should be on the board, how might we include some of these others, or should we?

Mr Tabor: I'll tell you that the only reason I focused on the makeup of the board as a vehicle for that concern was because of the perception on the part of my colleagues

that no matter what happened, it was probably going to be simply another government body that would be more destructive than helpful. I don't believe that, but I do believe that the composition of the board acts as a weather vane for that perception.

I think that at the very least trainers and educators should be brought in to consult at intervals. I think that if the board itself, in its publicity and in its public face, can make it perfectly clear that it wants to listen and indeed will listen to absolutely everybody, it scarcely matters how the board is made up. I'm not particularly focused on that, but I can tell you that in preparing to present today, I talked with over 40 colleagues and I heard this from every single one of them. The thing all of them pointed to to prove the point that OTAB was in fact going to give short shrift to the training community was the makeup of the board, so that's where I decided to put my comments.

I think OTAB could in fact work very hard to hear ongoing representation from all these groups and could be perceived to be doing so by working very hard at communicating to the public that it is listening. I don't think the makeup of the board is completely critical in that regard, but it sure is a nice place to start. I certainly don't disagree that other groups should be heard from, although my sense is that one could get into diminishing returns. After the 30th or 40th group being represented, I would imagine that OTAB's work could grind to a halt. But it's always easy to say that when you're not of the group that you don't care about, so I don't want to lean too heavily on that.

1110

Mr Martin: Certainly, groups that represent your interest have come before the board. The career colleges or career training centres have been represented, and they're certainly excited about the evolution of OTAB and the opportunity that it might provide for them to actually become an acceptable part of the training spectrum in communities.

It seems to me that the business community itself would be wanting to use the best, most efficient instrument out there, and their representatives on the board will probably be pushing for that kind of thing to happen. That still doesn't give you the degree of comfort that you would need to give this full endorsement.

Mr Tabor: Actually, personally, it works for me just fine, but I heard such a violent reaction from my colleagues on the issue that I really felt that I should put it right up front.

The Chair: Mr Tabor, the committee thanks you sincerely for sharing your views with us, for participating in this process. It's important that members of the public feel comfortable approaching committees, this one and others like it, to share their views, to express their opinions. It's a valuable part of the process. It's an important part of the process, and we are grateful to you for your interest, for taking the time out of your day, not only to attend here but of course to prepare that submission. We trust you'll be keeping in touch and tracking this legislation as it proceed through committee and into the Legislature. We welcome any further comments.

ONTARIO NETWORK OF INJURED WORKERS' GROUPS

The Chair: The next participant is the Ontario Network of Injured Workers' Groups. Please come forward as their spokesperson. Tell us your name and your capacity within the Ontario Network of Injured Workers' Groups. Proceed with your comments. We've got 30 minutes; please try to save at least the second 15 for questions and dialogue.

Mr Karl Crevar: Certainly. Thank you for giving me the opportunity to be present this morning. My name is Karl Crevar. I am the president of the Ontario Network of Injured Workers' Groups.

Maybe just to give you a bit of background on the network itself, it was formed approximately a year and a half ago. The reason it was formed is that, as you know, injured workers in the province of Ontario, for a number of years, in dealing with the workers' compensation system, had some grave concerns over what was developing within the system itself.

We found that for many years other agencies, other people, were making decisions for injured workers, so we took it upon ourselves to organize, to develop the organization so that we may be able to express our realistic concerns to the appropriate agencies. That is the makeup, generally, of how we developed in Ontario.

As I've indicated, we are very young. When we heard about the development of the OTAB program, we were very excited. We support the initiative of the government on the OTAB program itself because it opens a vast opportunity. As most of you know, with the workers' compensation system in Ontario, many people fall through the cracks. They never get back to work. They never get the opportunity to be retrained to get back to work. So when OTAB developed, it gave us an opportunity to participate, and as an organization we are attempting to do that at all levels, not only with workers' compensation but at all other levels.

Let me just point out that I do not profess to know the entirety of the OTAB program itself. I have had an opportunity to participate in some of the round table discussions. We felt that it was very important for us to be into that program because, as you know, the disabled and injured in this province are the most vulnerable when it comes to getting back into the workforce. I don't think there's any question about that. The introduction of Bill 162 created an even bigger hole for injured workers to get back into the workforce.

This gives us an opportunity to be able to address you. I don't know the full context of the OTAB bill, but we do have a couple of concerns that I would like to address with the committee here today. On the makeup of the board itself, when you look at the number of disabled in this province, not only in the disabled community but also in the injured-worker community, it's imperative that injured workers be represented on that board. We have not seen that. We know that there is representation by the disabled groups with whom we share a lot in common and we have worked with the disabled organizations in the province of Ontario. However, if you really want to find out what the problems are for

injured workers, you should have someone there to be able to indicate to you what they actually are.

As you know—the vulnerability of human beings, particularly I refer to the injured workers movement in this province—there are many, many injured workers who do not have the opportunity to tie into any type of program through the workers' compensation system. It's not only the injured workers who suffer; it's their families, it's the community, it's the province as a whole and society as a whole that suffers, because what we find is that the people who are out of work because of an injury do not have an opportunity to participate in their own livelihoods in this province, and they should have.

When the day comes where we look at individuals as human beings and, simply because of an injury, say, "Well, because you've been hurt, you no longer have access to any programs," that is a day that we should all hang our heads in shame, because that is what is developing today.

The difficulty is, as I'm sure most of you know with workers' compensation, it's been erroneous what we find in terms of the re-employment provisions and retraining. We do not have that opportunity. So again, I emphasize the fact that the creation of OTAB gives us an opportunity, hopefully, to get access to that.

The other area I wanted to address with you—our concerns—is that we're not very clear on how injured workers in particular will be able to access the training program. I have not seen the documents and in our discussions of our own organization we have not seen how injured workers will access that program. The concern that we have is in the development of any retraining program for the disabled or the injured workers in this province, or wherever they may be. We have not seen the access or accommodation provisions in any of the discussions.

I'll give you an example. When you develop such a program, when you have a disabled or an injured worker who is in the program, particularly in an educational institute, as you know, many injured workers and disabled may not be able to take the prolonged type of training that's required on an eight-hour day. Are there going to be provisions made where, in the event that it is established, they may only be able to function for two or three hours in a day? These are the types of things that we're looking at. Will the accommodation factors be taken into consideration for the injured or disabled in that type of a program? We have not seen that in there. Those are grave concerns, because if that issue is not addressed, then it seems quite obvious that there will be a number of disabled and injured workers who will not have the opportunity to access this training program.

Rather than looking at disabled or injured workers who have a disability, we should be looking at them as having ability. They want to get back into the workforce. We want to get back into the workforce; we require assistance. With the makeup of the OTAB board we find again, and I stress this very heavily—we are excited with the program, but we want to ensure that our voices are heard and that those particular areas of concern are addressed. Because if those areas are not addressed, then the program to us is of no use. It will not benefit us; it will not benefit society as a

whole; it will not benefit the individuals. So when I talk about accident accommodation, that is most crucial in this program.

I know you've had many hearings and, as I've indicated to you before, I'm not an expert on the OTAB program, but I did want to take the opportunity to address our concerns, those two particular areas that we have concerns with, so thank you very much for giving me that opportunity. I know I'm quick.

1120

The Chair: We're grateful to you for leaving sufficient time for some healthy dialogue and exchange. Ms Cunningham, please.

Mrs Cunningham: Thank you for attending today. We have in fact had a number of representations with regard to disabled workers, but not from your group of injured workers. I really appreciate what you're telling us today and I'm very much aware of the challenges that you face.

I'd like you to answer two questions. You know that there is one director representing persons with disabilities and I'd like to be clear as to what you're saying in that regard. Are you saying that we should also have one director representing injured workers? Second, I'd like your opinion on whether or not you feel that this overall title "disabilities" would in fact speak clearly for your group, how you feel about their ability to speak for your group.

Mr Crevar: On the first question, yes, I think it's imperative that if you take a look at the numbers of injuries that take place in the province of Ontario, which are in the area of 500,000 claims at workers' compensation per year, approximately 20% are permanent injuries. Out of that 20% there are a number of people who do not get back to work, because of the lack of initiative under the workers' compensation system, for whatever reasons they may be. So when you look at those types of figures, yes, we do have a high number of people in this province who would be affected who should have the accessibility to OTAB. Therefore, to represent our views as to how it should be addressed, we feel that we should have representation in the makeup of the board itself.

We are aware of the representative of the disabled community on the board, but you must understand that the disabled community varies somewhat from what our positions are because we deal with workers' compensation issues themselves. Generally, we speak in the same language, because somewhere along the line when an individual has a permanent disability, he becomes a disabled person. So we do have people who belong to our organizations from the disabled community as well. They have a permanent injury; that's not going to go away. It's going to remain with them, and we are going to try to help and assist them to get back to employment, to become whole people again as much as possible.

Mrs Cunningham: This is a question of interest for myself. I represent the riding of London North and I'm familiar with the disabled workers at one of our big organizations. They've been tremendously helpful not only to their own managers but to the government as well. This government has taken an active interest. One of the areas

they pointed out that I wasn't really aware of was the flexibility within the workforce itself to take back people who aren't permanently disabled so that you would call them disabled, but the interim time when people are trying to get back into full-time employment. Is that the area of information and recommendations that you feel you would be most helpful in with regard to the board, that interim period of time?

Mr Crevar: Yes, but it has to be on a long term. The goal has to be to return to the working environment, the self-esteem of the individual.

Mrs Cunningham: So there are both parts, which would be missing on behalf of many of the disabled workers, but maybe not, because, you know, they may have taken that route themselves. It's interesting.

The Chair: Mr Hugot and then Mr Wilson.

Mr Bob Hugot (Sarnia): Thank you for your presentation. I guess I'd like to touch on a little bit of the workplace issues themselves. I don't know if you've heard the term "jettisoning the walking wounded" in an employer situation, but I certainly have and have had to deal with it for many, many years. What I mean by that is that there are people who have perhaps become injured at work, and if there were some accommodations made in their daily routine or some accommodations made in the workplace, they indeed may not have to find themselves leaving the workplace and may not have to find themselves in a situation where they're wrestling with an ongoing WCB situation.

There are a lot of situations I've run up against over the years where people have been termed "disabled" and unable to carry out a function in the workplace, when in reality I think all that was required was some accommodation in their daily routines and some accommodation in their workplace and they could indeed carry on a function.

In my view, there has never been, among many of the major industries in this country, significant attention paid to the fact that the first line of action does not necessarily mean getting that person out of the workplace. I think there's a lot more that could be done to keep that person in the workplace with some special considerations to a condition that may, over time, disappear.

I can refer specifically to a situation in my area where a person was a control room board operator; the first line of action that was considered when the person was put into a wheelchair was to remove the person from the workplace. All that was required was that there be some accommodation made for a wheelchair in the workplace and he could have stayed there. In fact, after significant discussion and wrangling, that's what happened. But I think we should be paying a heck of a lot more attention to that.

On the issue of the training and OTAB, there is a situation where I guess we can discuss training injured workers who are out of the workplace trying to get back in. Shouldn't industry and shouldn't workplaces be training flexibility from the very first day they're employed so that in the event something happens to them in terms of a disability, an illness or an accident, they have the flexibility, with the skills they've acquired and developed during

that employment relationship, to move into another function and thereby keep them perhaps off the WCB rolls?

Mr Crevar: Yes, I agree with you on your last comment. I have no problem saying they're "termed" disabled. In the real world today when we deal with compensation, they're "deemed" disabled. It means the same thing, generally, to what you've been saying.

I think it is important, the accommodation question. The reason we're excited about the OTAB program is because, as most of you know, particularly with the inception of Bill 162, many people who are injured in the workplace, because of the lack of services of vocational rehabilitation, have fallen through the cracks, are out on the streets; they're either on social assistance or they're receiving minimal benefits. They do not have a job and it is much more difficult for them to acquire a job. That's the real life today.

I've heard many arguments in reverse to that, but if you're realistic enough to look at it, the disabled or injured have a much more difficult time getting re-employed because in many instances they lack the education or the training to get back into the workforce. This is what is needed through the training process to address that.

I agree wholeheartedly with you. If this was started in the beginning, then maybe at some point in time down the road when something does happen, they have the skills so they can move on. Unfortunately, in the real world, that's not happening today, and that's where we're having some difficulty with many of the injured workers.

Mr Huget: That's my dissatisfaction with the workplace structure. In my view, there has never been enough emphasis in terms of the flexibility issue. For example, a millwright may be working in an industrial situation and perhaps through an unfortunate accident loses his arm. If he can't do anything else, if he's never been trained or skilled to do anything else, he goes on the scrap heap, he's out the door, and then fighting to get back into a workplace, not only that workplace but any workplace.

I maintain that if people took the responsibility—and there is a responsibility among employees and employers—flexibility in skills acquirement over the life of their employment would mean that person may be able to fill another function, just as important a function, and not have to deal with it from the outside looking in.

1130

The Chair: You can respond if you wish.

Mr Crevar: I agree wholeheartedly with what the gentleman has said.

The Chair: I suspect he's pleased with that response. Mr Wilson.

Mr Gary Wilson (Kingston and The Islands): Thank you for your presentation. It certainly rounds out an important perspective. I want to suggest too that from your work with the disability steering committee, you must have some idea of the kinds of mechanisms that are possible, just because of the discussion you get there. You perhaps know too that there are some structures set up within OTAB: not only the director, who would be a representative of the people-with-disabilities community, but also the

council, which would be responsible for the various components of the OTAB project. I think the one that would especially interest the injured workers would be the entry/re-entry council, and that would allow for a very direct participation by injured workers into the policy formation of OTAB.

You've already suggested some of the reasons for that; that is, the difficulty of accessing the programs that are available and some way of keeping track of the record of achievement that workers have. I was wondering whether you might elaborate on the difficulty of accessing programs and how that could be improved under OTAB.

Mr Crevar: The example I used is that in many of the educational institutions, the accommodation factor has to be addressed. In many cases, as I pointed out earlier, will injured workers or the disabled be able to participate in a program in an institution that requires an eight-hour day if they cannot put in an eight-hour day? Will the program itself allow for that? We don't know.

Mr Gary Wilson: What kind of recommendation did you make so that the program did allow for that?

Mr Crevar: The program, once an applicant has applied for the program and been accepted, must address the individual's needs going through the educational or retraining process, whatever it might be. That has to be accepted. Yes, it may take longer. If, for example, an educational institution has a course that would take 12 months for an able-bodied person, it may take 18 months for a non-able-bodied person, a person who has a disability or an injury. Those are the types of questions we haven't seen answered, and unless that accommodation factor is met, the program, as I've indicated to you, would be of no use to injured workers or many of the people in the disabled communities.

Mr Gary Wilson: And you have, from your own experience, examples of how it's not working now?

Mr Crevar: The only examples I can give you are in terms of injured workers who participate in rehab programs, that if they do not do certain things for a certain amount of time, they are deemed to be uncooperative and are cut off their benefits. Those are the kinds of examples I can give you, simply because they cannot participate because of their injuries.

Mr Gary Wilson: Is there more time?

The Chair: For you, Mr Wilson, darned near about as much time as you're going to need.

Mr Gary Wilson: Do you see some development in these issues through your organization, which you say has been in existence about a year and a half? I understand other groups have been in existence much longer; that is, groups of injured workers. I was wondering about the progress you feel you're making by coming together, which I think is the purpose of OTAB as well, to bring all these resources under one umbrella to give it a better coordination and focus. From your own experience, do you see this happening with injured workers, and would you be able to carry this through to something like OTAB?

Mr Crevar: On the question of the injured workers' organization itself, I should have indicated to you that the provincial part of the organization that has been organized now was developed as a result of a number of organizations through the past eight years or so where we have come together. As I indicated at the beginning, injured workers organized because other agencies were telling us what was best for us, so a number of organizations developed in the province of Ontario.

The background history: Back in 1988, at our first conference, I believe there were eight organizations in place. As we progressed through the years, we're into our fifth conference, but at our fourth conference we had 22 organizations of injured workers in the province of Ontario that had decided, simply because agencies would not deal with individual organizations, that they should come together and speak as one voice.

In terms of progression, yes, we have progressed. We have been able to take initiatives on our own and to be able to address them to the appropriate agencies. It's been very useful for us to channel into the various agencies.

Mr Gary Wilson: Then I guess you'd appreciate the client-driven nature of OTAB, that the consumers, the people who need the services, are the ones who are going to have a very direct role in the running of the organization.

Mr Crevar: Yes.

The Chair: Thank you, sir. Mr Ramsay, please.

Mr Ramsay: Karl, thank you very much for your presentation. I very much appreciated it, because you underscore the point many of us have made—and I feel very strongly about this—that the representation is not broad enough.

I'm very concerned that the people you represent don't have as great a say on that board as you believe. I believe the same, that they should have. When you look at the workers' side, it primarily represents able-bodied working people. I don't see where unemployed people, who probably need training as much as anybody to upgrade their skills, and injured people, who probably are going to need some training to get into something else, are represented.

I agree with you: I'd like to see a particular designation on the board for injured workers. I know from the cases in my two constituency offices that this is a major problem. I come from an area where there's a lot of mining going on, so you can imagine the injuries, as you would know through your group, there are in the mining industry. We've really got to do something. These are people who desperately need training and really have been displaced, so I agree with you.

I must tell you about the organization too. You mentioned the WCB. If you'll allow me to be sarcastic, what I say to people is that if you like the WCB, you'll love OTAB, because it's based on a very similar model. What worries me about OTAB is how distant it is from government. It's the same type of agency that we in government call a schedule 4 agency and is very independent from government. You know, as I do, in trying to deal with the WCB how difficult it is to put any sort of pressure on it to get things done, because it really has a sense of independence.

I don't think OTAB should be that independent, quite frankly. I think government could get out of the business of doing a lot of things, but when it comes to dealing with injured workers and with training people, I think those are primary functions of government. I don't want to see it being so independent. I'm very concerned it could end up being like a WCB. I don't want that to happen, because WCB has to be retooled. Here we have an opportunity to design from scratch an organization that's going to be there to serve all Ontarians in regard to training.

I find your presentation very valuable today, and thank you for that. If you'd like to make any comment, please do.

Mr Crevar: No. You have stated quite eloquently what our concerns are.

Mr Dalton McGuinty (Ottawa South): Mr Crevar, I want to pursue this. I think what we're really talking about here, at the end of the day, is accountability. Let's assume you can't get a representative on OTAB. How do you think you'll be able to make the government or OTAB accountable? Who would you go through to ensure that your interests are being properly represented? Let's say OTAB is doing something, putting into place some kind of program that you feel leaves out your interests. To whom do you complain?

Mr Crevar: If OTAB itself, once it's established, is doing something that is not in the interests of the injured workers, our avenues are only open to either the board or the government. I know part of the makeup of the board. There is a representative of the disabled community; there are also members of the worker community or the employer community. We can lobby. We have been doing it for some time now, lobbying various agencies to get our points across. We find it very difficult. Again I point out to you that the reason we organized is so that we can speak as one voice.

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Mr McGuinty: What I anticipate is going to happen is that the government's going to say, as it does now with Ontario Hydro or with the WCB: "We really operate at arm's length here, you know. There's a good group of people on there and they're mandated to act in the public interest. Surely that public interest would encompass the needs of your particular group, so it's really out of our hands, Mr Crevar." That's what I anticipate they're going to say.

Mr Crevar: Let me just make one point very clear: I wanted to address our concerns to you, and it's not a major concern over the makeup. What I do want to ensure is that the interest in the program itself, the legislation in the bill, addresses accommodation and access for the people who are most vulnerable, because this is a bill that is going to allow citizens—the unemployed, the various groups—access to retraining. Who best to have access but the disabled community? You cannot put them on an even par with an able body. They have much more difficulty and they require much more education and retraining. So this program has to be addressed to that particular target group. That's what I'm here for.

I'm not hung up on the makeup. We've had discussions with various members on the makeup of the board, because we work closely with the disabled community, as I've indicated before, because we share common interests. We want to ensure that the access and accommodation factors are in there, and we haven't seen them.

The Chair: Mr Crevar, the committee, and myself certainly included, thank you and the Ontario Network of Injured Workers' Groups for taking the time to be here today and share your views and insights into this legislation and this program with us. You certainly are a significant spokesperson for a significant constituency in this province. Please, when you report back to your association, the Ontario network, tell them that this committee not only thanked you and expressed its gratitude to you and your membership, but also congratulated you on what has been an insightful articulation of views on this particular bill and on the whole OTAB concept. We thank you for being here, sir.

Mr Crevar: I want to thank you for giving me this opportunity, and I encourage you to get this program in place as quickly as possible.

The Chair: Thank you kindly, and I know that you will keep in touch. Take care, sir.

KAMALA ROY

The Chair: The next participant is Mrs Kamala Roy. Mrs Roy, please have a seat and tell us what you want to about yourself. We've got your written submissions. They'll form part of the record by virtue of being filed as an exhibit.

Mrs Kamala Roy: Mr Chairman, I am just representing myself. Even though I'm a handicapped person, I'm not representing any society that has a membership of disabled people.

I have given you my written report, and basically this is what I mean to say. I'm not interested in how the setup of this OTAB is made up, how many directors, how many people who would like to have representation or this sort of thing. My concern is more on an intellectual level, taking this entire process in both micro and macro levels and seeing bit by bit how we can manage to place the unemployed people in the workforce.

I have written it down here, saying that a large number of blue-collar employees, mostly men and breadwinners, are sitting out of the workforce. Some of these men have little formal education. They are also at an age that going to school is a big ordeal, and learning the same things that their learning is an embarrassing exercise for them.

How do we deal with this? Simply by setting up a board of directors and chairman and some representation of the different members, we're not going to be successful in dealing with this problem.

My suggestion is this: We have to have, apart from the directorate and the policy implementation and all these things, an intellectual think tank, people who will think at a certain level, think as a whole and think as part of the whole and come out with solutions. We all know we have problems. There are different councils: the Economic

Council of Canada, and even now Premier Bob Rae is attending a council. We all know the truth and the problem lying ahead of us; it's simply that we do not have the skills that can meet the modern day challenges in the workforce. We cannot simply solve this, deal with this by setting up a board and the board having the representation of disabled people or women or welfare employees.

One thing my predecessor mentioned that I would also like to bring out is that the representation from the private sector is not fair from the viewpoint of financial responsibility, because the private sector wants to represent OTAB equally, at the expense of the taxpayers' money. That's not a fair deal. The entire funding is coming only from the public sector. It's understandable that labour has to be represented, because we have to deal with their problems; that's why they have to be there. But the private sector, which is going to be the beneficiary later on, is over-represented, actually.

That's one of the drawbacks of this OTAB. This is the same private sector again and again attacking our education system, and in future it might even attack OTAB too, saying that OTAB is not coming out with a properly trained labour force.

My second point is about the complacency that we have been on for a while. We know Asians are multiplying at a very fast rate in training the people and giving them a lot more resources and skills that are required by the modern world. For us, in that context Canada is a very small country and we are losing out in both directions, in the sense that we neither have highly skilled human resources nor do we have a big population base. Either way, if we sit out, we will lose.

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One of the main tasks of OTAB is to design a proper learning system for training a labour force which is fairly unskilled. If you ask any consulting engineers about designing, they will tell you that three quarters of their project time is used just in designing the project. I do not understand how the 15 directors of OTAB, doing the administrative things and transfers of funds to different institutions and all that, can really design a well-planned setup for training this unskilled labour force unless they spend a fair amount of time themselves on this instead of on the administrative duties.

But we all know that innovative ideas never came from either Wall Street or from Bay Street. They have to come from intellectuals. You have to have the education philosophers, the sociologists, the economists and the scientists to think about the problems we're facing on a minute level and come out with solutions. The executive of the crown agency can draw from this intellectual pool as and when a need arises. One of the purposes of this act is to design a labour force development program. This is a big challenge by any measure. Ideological thinking is the basis of innovation, and this cannot be achieved through board meetings and minute taking.

Most of the representatives here probably talked to you about how well they're represented, how much funding they will get from OTAB and what the avenues of the funding are going to be. This is going to be a problem

whenever an organization is being set up. All the interest groups will come in and want their share of the whole. But that's not what I'm here for, because I'm not representing any interest group. I'm here on my own. I thought about this and I wanted to give my own opinion.

No one seems to think on an intellectual level. It seems like everybody wants to say: "Yes, we have a problem. We have an unskilled labour force, yes. What do we do about this? Our education system is not very good, so what do we do about it?"

These questions will be there for ever and ever unless and until we do something about it and someone thinks of the solution and comes out with something that is really viable and practical and physically possible. Free and clear thinking and consistent research in that direction is the only way to face our challenges.

The Chair: Thank you, Ms Roy. Mr Martin, please.

Mr Martin: I want to thank you for coming and challenging us in this way. It certainly takes us to a different plane as we look at this whole question, because I certainly agree that you're absolutely right that the effectiveness of the OTAB board will only be in relation to somebody's ability to imagine what the future's going to look like.

Mrs Roy: Exactly.

Mr Martin: Certainly you present the fact that our world is moving more to an idea-, technological-, new-information-based industrial sector, as opposed to mining resources and manufacturing them and selling them. With that in mind, certainly places like Asia and Third World countries have a vast resource of people, and among them, I'm sure, some very bright minds and intellectual skills, and if we as a country are not willing to put the resources into the development of future-oriented ideas, then we'll be quickly left behind, and it's happening. Some of the issues raised by the discussions we've had so far I think certainly speak to that.

One of them is the question of, who is actually investing in this? Who's investing in research and development and all that kind of thing? What role should the private sector be playing in that?

There's a sense that the private sector is already creating the wealth that is working its way through the public system and back into organizations such as community colleges and universities and we shouldn't be taxing them any more. It's my sense, however, that wealth is not created by the private sector; wealth is created by the work of people and the thoughts and ideas of people as they bring them forward and are able to put some pricetag on them. Maybe you could comment.

Mrs Roy: Honourable member, I have to disagree with you, because wealth has to come from the private sector too in the industrialized nations. Canada is one of the lowest; 0.3% it invests in that, the private sector industry invests in the R&D and labour training.

Mr Martin: Okay, and that, to me, speaks to some of what I think holds up this piece of legislation, which is the notion of partnership. Certainly the private sector participates in the creation of wealth, provides opportunity for people to put their ideas into a way that can be sold and

wealth can be generated. Any further thought from you I think would be helpful on just who should contribute to the further development of the kinds of ideas you're thinking about here and how that might tie into the development of this piece of legislation and OTAB.

Mrs Roy: Apart from having these directors from all the representation groups, seven or whatever I have read in here, seven from the labour groups, we also have to establish a think tank. That is my viewpoint. This think tank should consist of economists and sociologists and education philosophers and a group of scientists. They are the ones who have to think intellectually and come up with solutions. We do not necessarily have to take their solutions if they're not practical. Some of them may not be fiscally possible. We have to see the financial feasibility too, but we have to give them that duty, to think, because thinking is something that cannot be done by doing day-to-day mundane work. Thinkers have to be thinkers. Their input is entirely from a free brain, from clear thinking. That's the way I feel.

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Mr Gary Wilson: Thank you, Mrs Roy, for a stimulating presentation. You certainly hit on some of the issues that have been raised here in the committee already, and I'm pleased to hear you are looking for some balance, I think, between the practical and the theoretical. I think the board of governors of OTAB reflects that in that it has wide representation, but beyond that it has both reference groups and councils to make sure it does reflect the most recent thinking in the training field as well as give it response to the kinds of things it brings in, that it is working out in the field as well and that there is a practical nature to it.

For instance, the university sector has a contribution through the education and training group on the board. I mention that because you referred to the Economic Council of Canada, which I regret to say has been canned by the federal government. It has now found a home at Queen's University, so it still has access to things like training issues through the education and training sector.

I want to draw to your attention this handy set of fact sheets created by the Ministry of Skills Development to explain the OTAB project. In case you haven't seen them, we'll certainly send a set to you so you can read about it.

Mrs Roy: Yes, I'm aware of the Ministry of Skills Development and what they're doing here, but I don't have that—

Mr Gary Wilson: Exactly. It gives a very good overview of what OTAB is about and I think it will help you in gaining insight into, I guess, the shared nature of this project; that is, government sharing responsibility with the people who need the training systems to make sure there is that overview, that fulfilment of the goals of government for its economic and social projects in the province as well as making sure the programs are there for workers or people who want to be in the workforce so they can be trained. As I say, I think there is the need for both the theoretical and the practical approach that you have mentioned and I want to say how pleased I was to hear that.

Also, you mentioned the lack of private sector investment in training. It has already been noted here at the committee, as well as in the wider community, that only, I think, 30% of companies have any training programs and most of them are for managers rather than front-line workers. It is a way of focusing attention on that kind of situation so we can take steps to redress it and in a way that I think everybody can agree to, since everyone recognizes that changes have to be made in this sector.

So, again, thanks very much for your presentation.

Mr McGuinty: Thank you, Mrs Roy, for your presentation. I think you offer good advice regarding thinking, and one of the problems with the political racket is we're often so busy—and I'm sure I speak for all members of the committee—putting out the nearest fire that it's difficult to look at some of the longer-term issues.

I want to address something you raised on page 2 of your written presentation. You talk there about the private sector being represented in terms of the decision-making on OTAB, but that it wasn't taking any fiscal responsibility and it ought to be contributing somehow. I want to pursue this a bit further.

My feeling is that often governments generally have been doing too much rowing when really they could be steering. What would you think of some kind of program which, rather than pursuing, I think, what you were talking about to its logical conclusion, which would mean that the private sector is going to have to kick in money directly, so in addition to the taxes they pay they'll have to kick in money directly to support this training program? What would you think of the idea where the private sector took it upon themselves, and they could be encouraged to do so—without setting up an additional bureaucracy—through some kind of a tax incentive program. You'd say: "Look, folks, set up a training program, subject to our approval. You train those people. We think it's a credible program. You're going to get a benefit for it; we're going to reduce your taxes somehow." We don't have to do it then as a government. What do you think of that kind of a program?

Mrs Roy: I don't think that's a very practical program. It's like giving the post office to the private sector and telling them: "You manage because it's too much for us. We are having problems with strikes and all the labour force and we cannot manage." A letter going to the Northwest Territories will be \$1.50 instead of 43 cents. That's not a very feasible proposition, because anything the private sector takes in, first and foremost, it's the profitability that it takes into consideration. For people like me, if you are disabled or for any other reason you cannot perform the job, you're gone from the private sector.

Mr McGuinty: You don't trust the private sector to train people properly.

Mrs Roy: No, not under the circumstances that we are in right now. Maybe in Japan it works, maybe in Germany it works—I do not know—because they work together, the private sector and the public sector work together hand in hand, but not in this part of the world. So we still cannot give that trust to the private sector totally.

Mr McGuinty: Yes. I speak as an elected member of government, and I wish I had the faith in government that you have in order to carry out some of those kinds of programs, because I just don't.

Mrs Roy: Someone has to pick up the pieces. Someone has to do it.

Mr McGuinty: That's steering. I mean, that's what I call steering.

Mrs Roy: That is what we have come to now, because we all know, we have all recognized, that we have a skills problem. No one has done anything so far until this OTAB is started. So government has to do it in the end.

Mr McGuinty: Thank you.

Mrs Cunningham: Thank you for a most thoughtful presentation. I think you really do understand what's happening in the world today when it comes to the inadequacies of our country and our province to meet the needs of a tremendously well-skilled workforce. I think you also have, from what you've said, the understanding that we don't have the money in research and development that we ought to have.

I'm the critic in our party for Education, Skills Development and Colleges and Universities. I'm actually meeting with the colleges tomorrow for a couple of hours, talking just about this issue. We'd like to find some solutions to it, because they again raised it at our standing committee on finance with regard to the pre-budget hearings last week. So I'm most interested in your observations.

I'm wondering if you've ever thought about one of the solutions that certainly has been put forth to me by both the public sector and private sector and again, more recently, yesterday by Mr Jack Cooney, who represented the union of mechanical contractors, where he talked about a training fund. In his case, the employees contributed to that training fund, so that the company itself endeavoured to retrain and train workers, and he was quite familiar with it. I forget just what company. Did you hear that yesterday?

Mrs Roy: Yes, I heard that.

Mrs Cunningham: It was interesting, wasn't it?

Mrs Roy: Yes.

Mrs Cunningham: It's one way of doing things, and I think that's what this committee is looking for. I'm wondering if you would like to give us any other observations on those kinds of innovations, because I feel that companies will do this in a different way if we give them the opportunity and the direction.

Mrs Roy: Yes, companies will have to do it eventually, because government alone cannot carry the load all the way. These are the same companies that will benefit in the future from this labour force that we are training.

It's not the dollar value I'm talking about, no matter where the dollar comes from. I'm talking entirely about the concept: how well we can put this person with the grade 10 education, with no other skill, in the regular workforce and making a little above average salary—minimum wage salary. I'm not saying he has to be given the same as the example I quoted, but this is a true case. I

picked this up last year some time from the Star. This is not something I made up. So how well we can make this person work and put him in the workforce, this requires thinking. This is what we need; it's not the money. We have the money. We can find money, because OTAB is now, what, \$1.2 billion?

Mrs Cunningham: The organization itself is between \$400 million and \$500 million, just for the organization of the thing.

Mrs Roy: My concern is not about money; it's about how we do it.

Mrs Cunningham: That's right. One of the complaints of the private sector, in fact some Canadian companies that are investing in training around the world and not in Canada, is that we don't have a training structure. With credit to the government, it's trying to find a way to do that, and the purpose of these hearings is for people like yourself to come and give it some good advice.

I think what you emphasized to me is two things. First of all, people who are losing their jobs right now are not people with university degrees, which underlines the importance of higher education. Second, you mentioned education, which I'm particularly pleased to see, because I feel that much of the training ought to be in our public school system in apprenticeship training, which doesn't exist right now. Both secondary schools and our colleges need to be beefed up in the area of apprenticeship training. I'm wondering if you would reflect on that for just a moment.

Mrs Roy: I do not want to overstep on our education system. We leave that to the schools and the teachers and the boards. Let them come up with the different solutions to get the students to learn better and at least finish their high school diploma. But really, OTAB should completely dissociate itself from the education system. We have nothing to do with the school system which will get involved in that. In my opinion, OTAB should only be working with the private industries as far as the apprenticeship is concerned, and increasing the labour—

Mrs Cunningham: But that's where there would be the overlap, because we know that in Ontario, our apprenticeship training doesn't finish until age 27 or 28, whereas around the world, other countries, the countries that the government has quoted—I'm talking about Germany, Great Britain—are finishing at age 21 or 22.

Mrs Roy: That's because the tab is also picked up by the private industry, not only from the public sector.

Mrs Cunningham: That's right.

Mrs Roy: Here the public sector is the only one that has to carry—

Mrs Cunningham: That's right, but that is also in cooperation with their school systems. I don't feel it can be separate, because of the age we're looking at.

Mrs Roy: It cannot be, but only at the apprentice level can we have some sort of association with them.

Mrs Cunningham: Okay, that's fine.

Mrs Roy: As far as the school system goes, educating the primary, grammar school, high school children, we shouldn't be involved in that.

Mrs Cunningham: Except where they're involved in apprenticeship programs.

Mrs Roy: Apprenticeship programs.

The Chair: Ms Roy, the committee expresses its gratitude to you and welcomes you here today and indeed wishes that more members of the public would, as you do, participate in these processes. It's important that not only do associations and organizations and interest groups express their views but that people like you, with backgrounds and skills and talents of their own, feel comfortable coming to these committees and discussing this and other equally important issues with us. I trust that you will keep in touch.

Mrs Roy: I feel strongly about this.

The Chair: Yes, we're confident that you do, and you've expressed your views most forcefully. You've obviously piqued the interest of all of the members of the committee. That was demonstrated by the nature of the exchanges and dialogue and questions that took place. Thank you kindly and please keep in touch with all of us. Take care.

I want to thank the members of the subcommittee for their assistance and guidance this morning in dealing with the problem of lack of committee spaces as a result of the recalcitrant Mr Hansen. I express my gratitude to those subcommittee members. They were helpful to me, and I appreciate their wise counsel.

We are recessed until 2:30 in this room.

The committee recessed at 1215.

AFTERNOON SITTING

The committee resumed at 1431.

CHRISTIAN LABOUR
ASSOCIATION OF CANADA

The Chair: Good afternoon. It's 2:30. We're scheduled to resume. The first participants this afternoon are the Christian Labour Association of Canada. They of course are going to introduce themselves and tell us their titles or status or capacities within that association, they being here as spokespersons.

I want to particularly welcome Harry Pelissero, the former MLA MPP for the riding of Lincoln. Mr Pelissero of course chaired many a committee, as well as being parliamentary assistant in a number of capacities, the agricultural area and Tourism, while he was here at Queen's Park. As I say, we especially welcome you, sir, back here.

Gentlemen, please proceed. Tell us your names and your positions or titles, if any. We've got your written submissions. They'll form part of the record by virtue of being filed as an exhibit. Please try to save the second 15 minutes at least for discussions, questions and dialogue.

Mr Ed Grootenboer: My name is Ed Grootenboer. I'm the executive director of the Christian Labour Association of Canada. With me is Ray Pennings, our publicity promotion director. Mr Pelissero is sitting to my right; that's not a political designation.

With your indulgence, we are appearing here together on this subject of OTAB because we think it's an extremely important issue, perhaps one that should override the hot political topic of auto insurance, because in the long run this issue is going to have more repercussions in this province than what we do with auto insurance today or next year.

With your indulgence also, I'm asking that the Independent Contractors' Group and CLAC do their submissions back to back. The reason we're appearing together is that we have the same perspective on this. Also, we want to publicly demonstrate that employers and trade unions ought to be able to work together, especially when their interests are the same and they have the same issues of fairness and equality to bring to your attention. For that reason, we would like to do our submissions back to back and then reserve the time available after that for joint questioning, if that's all right.

To give you our submission, I would like to lead you through our written document, which you have before you by now. The Christian Labour Association of Canada, CLAC, is an independent trade union within Ontario and Canada; that is, our union is neither affiliated provincially with the Ontario Federation of Labour or the Provincial Building and Construction Trades Council of Ontario, nor nationally with the Canadian Labour Congress or the CFL, the Canadian Federation of Labour.

The reasons we are not affiliated with these trade union organizations have everything to do with the main point of our submission, which is that the Ontario Training and Adjustment Board legislation has to be amended with respect to the representational structure in the legislation

as it presently stands. We are convinced that OTAB is going to be another playground for the same two adversarial ideologies that dominated the recent public discussions surrounding Bill 40, something which is also very much evident in the short history of the Workplace Health and Safety Agency.

Such a struggle for control and supremacy between irreconcilable interests is unavoidable when one party, or perhaps both, is unable to put its own interests aside for the sake of the common good. The track record and the philosophy of the OFL and the BTC in this respect are not compatible with working cooperatively with anyone, unless it furthers their own goals. On the other hand, employers and business interests, when faced with such a forced partnership, are very adept at playing the adversarial game themselves.

Government legislation will not change these realities. In fact, this legislation accepts and supposes that the best results will come out of confrontation and a struggle between sworn enemies. The Minister of Skills Development himself could only be hopeful in this regard when he stated to the Financial Post that "appointees to joint agency boards are supposed to serve the public interest first, not that of their constituency."

Returning to the reasons CLAC is not affiliated with the existing central labour organizations, it should first of all be observed that the BTC is off limits to any construction trade union that is not chartered by the American-based AFL-CIO. Thus, CLAC, or any other non-AFL-CIO-chartered union active in the construction industry, cannot be represented by the BTC in the OTAB structure.

With respect to the OFL, CFL and CLC, and also the BTC, affiliation is not possible for us because we fundamentally disagree with their class-struggle mentality and their adversarial ideology. These organizations concentrate on centralized union power and control, not only when dealing with employers but, as it is hard to change bad habits, also when dealing with workers and with independent trade unions. Consequently, these unions and their central organizations have developed a very warped view of fundamental democratic principles.

For example, freedom of association is limited to joining the "right" union and, when there are bargaining rights, by forcing workers to join the union in order to work; that's why the closed-shop provisions. Freedom of expression is curtailed when dissent is stifled or differing opinions are ridiculed, and the plurality of trade unions and the rights of non-affiliated trade union members are ignored in favour of a monopolistic trade union structure. It's therefore not surprising that the existing provincial labour organizations, representing only about a third of Ontario's workers, should be suspect when it comes to representing the interest of all workers.

As mentioned earlier, we raise these matters not simply to explain ourselves and CLAC's position in the Ontario and the Canadian labour relations community but, more importantly, to point out the fiction of the OFL's and the

BTC's sudden conversion to working together harmoniously with business community representatives and for the good of all workers in the province.

Our experience in the field of labour relations, in cases before the labour relations boards and through our involvement in the health and safety agency, confirms almost daily that the overriding priority of the OFL and the BTC is the building of self-serving, monopolistic structures, even if that involves patently unjust behaviour and the wilful disregard of the rights and freedoms of workers in independent trade unions.

While CLAC faces sometimes difficult challenges, we are proud of our continuing pattern of growth, also in these difficult economic times. We can only interpret this growth as being due to our progressive and positive labour relations policies. These policies are based on Christian principles rather than on socialist, purely pragmatic or Marxist ones. Thus, CLAC does not force union membership on anyone, even where labour law permits it; promotes a cooperative style of labour relations with management; tolerates and deals with differences of opinion, and seeks to involve its members in bargaining unit and workplace decisions.

Currently, we represent some 6,000 members in Ontario from all walks of life and faith commitment, working in various sectors of industry. Our policy towards other trade unions and their members is to respect their rights and freedoms. Our policy towards employers is to work with them as equal partners for the wellbeing of our members and the good of the enterprise as a whole.

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In the area of training and skills development, we have for many years worked cooperatively with our members and their employers in promoting, developing and monitoring programs that benefit our members, their employers and industry as a whole. We have done and continue to do so, via not only the existing apprenticeship and community training programs but also via our collective agreements, with provisions for on-the-job training, trade skill updating, across-classification skill enhancement, open promotion systems etc.

CLAC is about to release a publication by a task force we have commissioned on the effects of competitiveness, efficiency and productivity on workers and their families. This publication also deals with education and skills training and the needs of workers in the industry. I'd like to release that today, but it's not been officially released yet. If you're interested in getting a copy of this study, we'd be glad to take your name and supply you with a copy.

Returning to OTAB, bipartite involvement in training and skills development is not a new phenomenon. As mentioned above, CLAC has always regarded this area as an important part of its trade union mandate at the bargaining unit level as well as on the larger scale. Unions in general have been active for many years in improving and advising on the qualification and training programs available, including those offered under the auspices of the Ministry of Skills Development.

What is new under the tabled OTAB legislation is control, and here is where our introductory comments and observations become relevant for the legislative

committee's consideration. Labour representation on the governing body is reserved for the exclusive labour organizations, which at best can speak for no more than a third of Ontario's workforce, perhaps substantially less than one third when one considers the involuntary members acquired via these unions' closed-shop or union-shop provisions. This is not representative participation in OTAB, by any stretch of the imagination.

But that's not the worst of it. The real concern for all of us should be: Can the OFL and the BTC, in view of their philosophy and their track record, be expected to act evenhandedly and in the best interest of the approximately 65% of Ontario workers who do not want to belong to these organizations' affiliated unions? I want to stress that the 65% are not forbidden from joining these unions; they don't want to. They have not chosen, in a free society, to belong to these central labour organizations.

Peeling away all the rhetoric about a new era in labour relations, broad consultation, public involvement, cooperation and partnership, what is there on the public record that reassures us that these labour representatives indeed can put self-interest aside and have progressive ideas about what it might take for this province to remain as efficient, productive and competitive as it can be in a global economic environment? What has really changed that we should entrust these labour representatives with control over public funding amounting to hundreds of millions of dollars annually? Our answer is that nothing has changed on this score.

The American-based AFL-CIO construction trade unions that make up the BTC are still the monopolistic, dinosaur-like unions that cannot abide the presence of other unions in the industry, and we can verify that. The BTC, at its 1990 annual meeting, unanimously passed a resolution to the current government demanding total jurisdiction over all construction work in the province: little there to indicate that these unions' representatives can and will put aside self-interest when dealing with training fund allocations and access to programs. At the same time, the BTC unions have actively opposed attempts to liberalize apprenticeship-to-journeyman ratios, thus preventing the training of more people in the construction industry.

The OFL does not instil confidence either with respect to its motives and its ability to work cooperatively with business or its willingness to represent the 65% of workers who are not members of its affiliated unions. The public spectacle surrounding the Workplace Health and Safety Agency and its spate of resignations are not things to be shrugged off or lightly dismissed as "growing pains." These are the result of fundamental beliefs and convictions about control, power and domination.

Thus, OFL president Gord Wilson stated in a June 18, 1992, letter to the OFL executive board—he was dealing with some industrial health and safety organizations that had the nerve to consider assigning worker representation on their boards to persons not responsible to the OFL—said that the "strategy"—those are his words—must be to "advance our bipartism policy." The emphasis on "our" I have added. I have a copy of the letter here.

In other words, health and safety—and training and skills development—is not a vital area of public policy, but rather a strategic opportunity to expand influence and control and to further the OFL's policies of domination and self-interest. To confirm his ideological, adversarial mindset, Mr Wilson warns his colleagues in this same letter, "If our strategy is not carefully implemented and coordinated, employer associations may attempt to assume the training of workers within their sector." Isn't that terrible? Obviously, Mr Wilson does not believe in the slogan "Safety is Everybody's Business" and is calling for unions—read OFL—to be funded to train all workers.

I can confirm that in a recent conversation with Workers' health and safety training centre officials in Hamilton, our people were bluntly told that they are out to do all the training under the new legislation, and when we asked about non-AFL-CIO construction and other industry workers, they bluntly said: "We don't care about them. We don't care if they're ever trained." Now, these people are being put on the central agency that's going to regulate and institute and control training in this province for supposedly all people.

Given this, we think it is highly irresponsible to leave important areas like health and safety and, specifically, training and skills development to a representational structure that one party is determined to control, and even if the hope for a balance of power is maintained, we do not think adversarial negotiations produce the best results. In matters such as this, we cannot afford to be satisfied, or pretend we are well served, with mediocre saw-offs and compromises. Best results can only be obtained when all parties are able to act for the common good together.

Thus, we see OTAB, with its built in conflict-of-interest factors, as well as with its undemocratic and limited representation on behalf of labour, becoming an extremely expensive experiment that is going to run hard aground on internal politics and self-interest. The workers of Ontario—indeed, all of us living and working in this province—will be the losers.

We urge the legislative committee and the government to seriously consider the following recommendations regarding Bill 96: first, that labour representation on OTAB's governing body, the central body, should be opened up to truly reflect the makeup of the province's labour force; second, the OTAB legislation should specifically provide that the four proposed councils and the local boards in their labour representation shall not be dominated by or reserved for only appointees or nominees of the OFL and/or the BTC; and third, the legislation should provide for the right of the government to intervene, veto or amend the decisions and actions of OTAB's governing body.

We do not need another fiasco like the Workers' Compensation Board. Public funding should involve direct public accountability via elected representatives. That's what the government and the opposition parties were elected for: to be accountable for how public funds are spent. Don't give it to an outside agency.

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The Vice-Chair (Mr Bob Huget): Thank you very much. If, by unanimous consent, we can move to the Independent Contractors' Group presentation, then we'll have

combined questioning at the end of that presentation. Is there unanimous consent?

Mr Ramsay: Mr Chair, I just think it would be clearer to maybe deal with those issues, because it's sort of focused on one particular issue, maybe to keep everybody's mind—

The Vice-Chair: That's fine with me if there's not unanimous consent.

Mr Ramsay: First of all, I'd like to congratulate you very much for your presentation. Many people have come forward with the same sense you do that this representation is really stacked, if you will, on the workers' side towards the OFL, as it obviously is, but no other group has so concentrated on it and given such a full explanation as to why it's wrong. I agree with your position.

I'd like to outline a little bit for some of the government members who we over here feel have to be educated as to why this is wrong. Many feel that it's some sort of prejudice some of us might have against organized labour, and that is the furthest from the truth that could be.

I think what you have brought home, very rightly, is that on the workers' side there will be eight representatives coming to the table with the very same mindset. We could debate all day and all night about the rightness or the wrongness of the mindset. There are many good things that the OFL proposes in its pamphlet; some things I might not agree with 100%, but it's not that it's all without merit. There are some very good things there.

The point is you don't bring everybody to the table on one side with the same mindset. That's all. They certainly should be there and they should be represented in good proportion, proportionate to the people they represent. I wouldn't mind if they're organized even a little beyond that, but not at 100%. We want to hear from other workers with other ideas about what training should do for working people, men and women, in Ontario.

You're right, and I'm glad you're here to hammer this point home. I'm glad you've completely focused your paper on this because I think it really needs some thorough discussion. Anyone who says, "Oh, you're against organized labour, you're against unions," is wrong. I support men's and women's right to organize. In a lot of companies, it's the best way to go, even for management. They like to deal with a democratically elected group of people. It's the best way to organize in a very big company, especially to interrelate. The prejudice isn't there. It is just, let's hear other voices at the table, and you're calling for that.

Mr Grootenboer: The problem is not even their mindset. I can put up with their mindset. They have the right to their opinion as to how they want to see the world run and structured. The problem is the representation. It's the sole mindset. We speak from within organized labour. We count ourselves as being part of organized labour. We may not be the biggest portion of it. We don't look to dominate it. I hope that CLAC never gets as big as the OFL because it involves too much control and power.

We want to see that all workers are represented fairly. We have grave doubts, on the basis of a long history of confrontation and struggle with the OFL, particularly the

BTC, that they can act in the public interest. They will not act in the public interest. We're here to warn you about that, particularly the government.

I know there are political ties and we should rid ourselves of them and face the question openly and honestly. Can these people honestly represent, when they themselves say to us—they won't say it publicly, but to us—in meetings on health and safety, "We're not interested in representing non-union"?

Mr Ramsay: Quite frankly, they can't. They can't represent everybody and, primarily, what we're going to see is a group of people who represent traditionally male-dominated, industrial-commercial workers when there's a lot of other people in working society, such as injured workers. There's a lot of unemployed people who don't have any direct representation. We've got to be tapping in to other sectors of the economy that traditionally, for whatever reason, have not been organized. There are many main sectors of the economy that just won't be there. We want all the voices from Ontario. We want OTAB to be inclusive and it's really quite exclusive, by this.

Mr Grootenboer: Right now it is, yes.

Mr Ramsay: That's what's wrong with this. I plead with the government members. I know they've got to pay back the unions. They did it with Bill 40 and they're doing it with OTAB, but if they really want to produce a good piece of legislation, open it up for the benefit of all the people in Ontario, make sure all our working people in Ontario have a say, because training is so important.

Mr Leo Jordan (Lanark-Renfrew): Thank you, gentlemen, for coming this afternoon and, certainly, as my colleague has pointed out, bringing to our attention this major percentage of the workers in the province who aren't being represented here: 65%. On page 10 you say, "Labour representation on OTAB's governing body should be opened up to truly reflect the makeup of the province's labour force."

Mr Grootenboer: I haven't got instant answers, so I don't think we should hotly debate that today either. There are probably a number of ways, but if we want to remove control and operation of a body like OTAB from the auspices of the government and give it to a quasi-independent agency, and if we want that to represent the public interest, which currently it doesn't, in my view, then we're going to have to find some system to represent everybody.

Perhaps it's got to go via some kind of public election procedure whereby you obtain a registry of all tradesmen, although not all trades are registered, by any means; not today, anyway. But you obtain some kind of registry and get some kind of representative balloting going on, nominations and the whole business, public exposure via newspaper ads, whoever is interested in running for this, and get them nominated and elected. Then it will be truly a representative body, at least from labour's side. On the employers' side, they can talk for themselves.

But I think that's what you've got to go to in order to get this. You can't say A without doing B as well.

Mr Jordan: Would you say that four members of the non-union group would be a fair representation?

Mr Grootenboer: All workers. Let them elect their representatives.

Mr Jordan: How many, though? We have four from the organized labour side.

Mr Grootenboer: Why should there be any reservations on any seats? I'm just talking off the top of my head now. Let everybody who wants to run for this put up their name and put their platform on, and let workers, whether organized or unorganized, elect them.

Mr Jordan: But there would be some limit of representation for that group on the board, the same as any other group.

Mr Grootenboer: I view them as being elected members to this body, electing workers at large, not just a particular trade union. I could run for this board, put an ad in the paper and say: "Workers, I'm running. Here I am. This is what I stand for. Elect me."

Mr Gary Wilson: Thank you for your presentation. You've certainly raised some important issues. Just on this issue of representation, of course others have raised that as well, as my colleague from the opposition has pointed out, but I have to say that just as many have praised this kind of representation as being the only way that has been seen to work, not only in this formulation but at the federal level with the Canadian Labour Force Development Board, which was set up by the Progressive Conservative government, which turned to organized labour to nominate the representatives there.

Mr Grootenboer: Surely you're not intimating that the Conservatives did something good for a change.

Mr Gary Wilson: I think we'll let the facts speak for themselves on that one.

Again, I suggest it's because it's seen not to work the other way. The other thing, of course, is the foreign jurisdictions, which also turn to organized labour as representing workers because the "organized" defines that approach, that they are the ones who have an organized approach to what the workers' interests are.

The other thing is that you say, "Let business speak for itself." Well, business has said it wants to nominate its people as well, because they've recognized that if they turn to the government to nominate, then the government has to nominate the labour as well, which defeats the purpose of this, which is a shared responsibility for labour training issues.

It's been well recognized by all sides in this committee hearing so far that the system isn't working now, so the kind of arrangement we have now simply won't work, and that is the driving force behind the success of OTAB, that it's seen that we've got to move in different ways.

When you speak of the self-interest, I must say I found that question begging throughout your presentation, because you've determined for yourself what the interests of labour are without addressing, say, the interests of the other groups in OTAB. But leaving that aside, one of the interests, as I say, is getting a training system that will work, because it's recognized that what we have isn't working now.

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As I say, as far as representation goes, it seems that organized labour can speak for the interests of all workers, mainly because they're workers, but in the final analysis, there's no one else to speak for workers.

The second thing I want to point out is that your third recommendation here speaks about the legislation and the right of the government to intervene. What do you think of section 5 of the legislation where it talks about the minister's directives and what appears to be very firm control over OTAB as far as its addressing the public interest? Maybe you'd like to comment on the first part of my remarks and answer the second.

Mr Grootenboer: I'll comment on the first part and then I'll let my colleague take the second part.

You spoke of foreign jurisdictions. Wherever you're referring to foreign jurisdiction—I'm quite familiar with the international scene, by the way—I think you're talking about countries that for one reason or another have a much greater proportion of union membership.

Mr Gary Wilson: Not in all cases. Germany, for instance, is one of them; Sweden, the Netherlands.

Mr Grootenboer: Sweden is practically 95%.

Mr Gary Wilson: Sweden is very high, that's right.

Mr Grootenboer: Everybody by law must belong to a union. It's much like Quebec in construction. You must belong to a union or you're out. You don't work. But that's another topic.

You finished off with the statement, "Organized labour can represent all workers." I agree with you, but we've tried to show in our submission, not for any ulterior motives but out of deep concern for the basic interests of skills development and training, that the organized labour body in this province can't do it. They've shown they can't do it. You can dispute that. I can give you hundreds of examples where they have shown themselves to be interested only in serving their own interests. I cannot trust them to do this, not because I'm with another union. I'm speaking with genuine, sincere public interest on this issue, with no ulterior motives whatsoever.

The Vice-Chair: Thank you very much, sir. If you could respond very quickly, because we must move on to the next presentation.

Mr Ray Pennings: Sure. Regarding government control, I suppose you're referring to the fact that when the budget is given every year, they have to have—

Mr Gary Wilson: That's one aspect, but specifically in section 5, it speaks of the minister's directives.

Mr Pennings: There are a number of provisions. I guess what concerns us primarily, as we look at what happened at WHSA and the sorts of entrenched battles when ideology is very clearly on the table and you've got the two sides that are in their respective positions based on that, are we going to sit there for a year and let these sorts of fiascos happen while the real training of the workers, which we all agree isn't happening properly today and needs to be addressed, is going to become the victim? We're talking about adjustment programs for unemployed people. We're talking about people who need help today.

Frankly, we don't see the protection in these amendments that allows the government to intervene in those sorts of disputes and situations. We're not talking about active day-to-day control over every issue. We're talking about those sorts of divisive disputes which we see as inevitable based on the track record of the parties involved.

Mr Gary Wilson: Certainly, it would not be in the public interest.

The Vice-Chair: I'd like to thank the Christian Labour Association of Canada for its presentation and both of you for very eloquently bringing forward its concerns.

INDEPENDENT CONTRACTORS' GROUP

The Vice-Chair: We will move now to the Independent Contractors Group. Mr Pelissero is seated at the witness table. Could you proceed with your presentation.

Mr Harry Pelissero: My name is Harry Pelissero. I'm executive vice-president with the Independent Contractors' Group and I'm here today on behalf of our group.

Our membership represents firms that are responsible for about \$500-million worth of construction activity in the province of Ontario. The type of employee organizations in those firms cover the entire labour spectrum. We have firms whose employees belong to international unions, we have firms whose employees are members of the Christian Labour Association of Canada and we have firms whose employees choose to work in an open-shop environment.

We believe the type of employee organization should not be a barrier to bidding and/or obtaining a job, particularly in public sector contracts where taxpayer funds are being spent.

We'd like to present a couple of concerns related to Bill 96. According to a press release of December 18, 1991, the co-chair of the Canadian Labour Force Development Board said, "Decisions about training and human resource development should be made by people most affected by those decisions." The Independent Contractors' Group agrees with this position.

However, the structure of OTAB does not support the co-chair's statement. The structure of OTAB, according to Bill 96, will be as follows: eight labour directors—we know seven will be coming from the Ontario Federation of Labour and one from the Ontario building trades council, eight business directors, two directors from the education and training community, one director representing francophones, one director representing persons with disabilities, one director representing racial minorities, and one director representing women. It's the eight labour representatives that are of concern to the Independent Contractors' Group. Unionized employees account for approximately 38% of the total workforce. To allow this minority 100% of the labour representatives on OTAB and local boards is unrealistic and unfair.

The minister attempts to address this concern in his question and answer sheet of November 23, 1992:

"Q. I don't belong to a union or business group. Who represents me on OTAB?

"A. Members of the governing body, as well as bringing forward their labour market group's particular views

and priorities, will be required to act in the broader public interest. All governing body members, including business, labour and other representatives, will have the responsibility to consider the needs of employers, current workers and potential workers in Ontario."

Section 9 of Bill 96 reads:

"Directors

"(3) Each director shall be selected in consultation with organizations representing the group that the director is to represent."

Therefore, the proposal for representation on OTAB is flawed and needs to be corrected.

The Independent Contractors' Group recognizes unions should have 38% of the labour seats on OTAB—in response to Mr Jordan's question—because that's the percentage of the workforce they represent. The excuse for asking only the Ontario Federation of Labour and the building trades council representatives is based on expediency, not fairness.

Let me explain. Government has thought, "We can go to the unions and ask for nominations, because they're an identifiable group, but how would we approach a majority of the workforce who choose to work in an open-shop environment?" This can be done in several ways, and I'd like to put two ideas forward for your consideration.

First, you could change existing governmental reporting functions to determine the percentage split between open-shop and unionized employees. This could be done by revising either UIC or WCB reporting, because if you work in the province of Ontario, you have to have unemployment insurance deducted. So there's an opportunity, as an example, of taking an existing structure without creating a new one and giving you some information.

Then from that you could develop a nomination process. Certainly, you wouldn't need the nomination process for the organized sector, because it would be able to bring forward its nominations. We support in principle that those groups that represent a certain percentage of the population should be able to bring forward their nominations.

Second, you could contact existing associations that have access to the open-shop sector and request nominations. Organizations, architects, engineers etc are all in some sense an employee organization.

These are two ideas that could be looked at and developed in a little more detail.

Imagine the cry of "foul" if only open-shop employees were named to represent all of the workforce. Unions would want to demand fairness, and rightly so. This is all we're asking for—fairness. In response to Mr Wilson's question that organized labour can speak on behalf of the total workforce, if the question was put the other way around, can open-shop employees speak for the total workforce, as my 13-year-old son would say, "Not." That's not going to be reality.

The Independent Contractors' Group has the same concern regarding the representation on the local training and adjustment boards. The OTAB project office, which I spoke to, states that nothing will happen on developing guidelines on local boards until Bill 96 becomes law.

Mr Gord Wilson, president of the Ontario Federation of Labour, is very clear in his understanding of how the local boards will be constituted. In a memo dated March 19, 1992, to the heads of unions, staff representatives, labour councils and affiliates, he writes:

"It has already been agreed to by both the federal and Ontario governments that representatives on local boards will be chosen by their own constituencies exclusively. In the case of labour, this means that local board members will be chosen by the Ontario Federation of Labour and the Provincial Building Trades Council in consultation with our affiliates and local labour councils."

OTAB and local boards will be responsible for directing the spending of millions of taxpayer funds. Both open-shop and unionized employees make financial contributions; both groups of employees should be represented in the structures.

The Independent Contractors' Group requests the committee to bring forward the necessary amendments to Bill 96 regarding the board of directors having representation from all sectors of the labour force. We feel it is a question of fairness.

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Just to emphasize the point on the local boards, with respect to comments made by Mr Grootenboer from the Christian Labour Association of Canada around the health and safety agency, we have a concern that if funding proposals for training projects are either put forward by the Christian Labour Association of Canada or open-shop employees or employers, in fact they may not get a fair hearing in terms of allocating those dollars and cents.

So as well as your deliberations on Bill 96, you also need to be looking at developing some guidelines and standards for the local boards and, at a minimum, have an appeal mechanism within the local boards so that if an agency, an individual or a group of employees come forward and their particular project is not funded and it's placed on a low-priority scale or outright rejected, there has to be some type of an appeal mechanism put in place, either at the local level or to a provincial agency.

Again, we want to thank you for the opportunity to share our concerns and we'll be willing to answer any questions you have at this particular time.

I'd maybe like to respond to Mr Wilson's question with respect to the Canadian Labour Force Development Board. The reason that the Canadian Labour Congress was tagged with the responsibility of naming individuals to the Canadian Labour Force Development Board was basically a deal made between the federal government and the Canadian Labour Congress, which said it would not participate in any way, shape or form unless it had all the nominees to that board. That's why the Canadian Labour Congress is involved in part of that participation.

Certainly, just because it's in place at the federal level—we think that's unfair as well. There's a federal election coming up and hopefully we're going to raise that as an issue as well. We think that could be corrected in terms of amending Bill 96, again from a fairness point of view.

If we divided 10 seats between business and labour, I have no problem with giving four seats to the organized

sector and the other six seats to the open-shop sector, and I would have the same concern for individuals who are not identified with any business organization at this particular time. Be it the chamber of commerce, be it the Canada Federation of Independent Business, I would have the same concern. How do you tap into a growing sector of our population that are becoming self-employed, that are small entrepreneur organizations, that are going to have some skills training and retraining needs as well? If it's good for the goose, it should be good for the gander, in the sense that, the other side of the coin, if we saying we're setting aside some seats and a percentage for the open-shop employees, we should also set aside some seats for those individuals who are not represented by the "traditional" business groups.

I'm more than happy to answer any questions, Mr Chairman.

Mr Jordan: Thank you, sir, for your presentation and basic answer and explanation on my previous question. You were saying you'd be satisfied with a split of six and four?

Mr Pelissero: Whatever the percentage is. It depends on who you're throwing into the equation.

Mr Jordan: If eight represents a third of the workers—

Mr Pelissero: Right. Again, it depends on how OTAB is going to be structured. So 40% of eight—again, when you talk about organized workers, that's all workers. Private sector and public sector make up that approximately 38% of the workforce, so they in turn should then have the ability to nominate 37% or 38% of the seats.

Mr Jordan: You've more or less concentrated on fair representation in your presentation. I was wondering if you have other areas of concern relative to this legislation.

Mr Pelissero: I guess two concerns in the sense that, how much authority will be given to the local boards? How much authority will they have in terms of spending of dollars and cents? As a result of that, we have the same concern with respect to the representation on the local boards if, as according to Mr Wilson's memo of March 19, they've been promised that they will have the ability to exclusively name individuals to these boards representing their constituents.

I don't have any problem with that, as long as you allow the same opportunity for those individuals who work in an open-shop environment. We're not saying, take away the ability for the federation of labour and the building trades council and the Christian Labour Association of Canada to put forward nominations. We're saying, allow them to put forward nominations in respect to the percentage of the total workforce they represent.

Mr Jordan: How do you see it applying to an example we were given this morning of a worker at one of the breweries, who worked there for 20 years at a job that didn't require a specific trade, and now he's going to be laid off and he has grade 10 education? Do you feel this board should be looking at those people on the basis of first increasing their basic education, say to a grade 12 level, or should the board be looking at it on the basis of direct training into a direct type of position?

Mr Pelissero: I would hope the board is going to be as flexible as possible in terms of the changing workplace. If we put in some standards and guidelines today and the workplace changes dramatically within a year, I would hope that both the local boards and the OTAB would have the ability to be flexible with respect to the type of training they're becoming involved in.

I also have a concern in terms of a reporting function and who is responsible. I think the elected officials, the MPPs, should be ultimately responsible for OTAB's operations, without the government farming out all of that responsibility to a crown agency, in order to avoid the type of situation we have now with the Workers' Compensation Board saying, "We found a loophole; this way, we can build the \$180-million or \$190-million building." I don't think that is the intent of any government in drafting any piece of legislation, to allow their pension fund to be used for those types of activities.

Mr Jordan: That's the complaint I'm getting in my riding: "Sure you're going to give them training, but when he comes to me to work in my business, it doesn't suit."

Mr Pelissero: In terms of training, using the example of the brewery worker, you may want to consider a proposal based on vouchers. You give an individual X number of dollars and say, "You go into the marketplace and you figure out who is going to be the best organization, the best trainer, to train you to meet the changing workforce." A voucher system might be a method, where rather than telling the worker he has to go to this particular organization to receive the training, if you've got a number of organizations that are offering either that type of training or specialized training, you look at a voucher system.

Mr Jim Wiseman (Durham West): I'd like to pursue something that has come into my mind just listening to you speak. It seems to me that what lies at the basis of the board's function is to assess the need for what training has to be put into place, and that if they get it wrong, they get it wrong for everybody. If business gets it wrong, if labour gets it wrong, if the community people don't identify the trends correctly and they put into place a training system and get it wrong, then it's all wasted.

What I'd like to perhaps have you pursue is what kind of board. How can independent workers, who are not tied into any kind of system that has a chance of statistically analysing what the trends could be, be any more likely to get it right than, say, the large labour organization that sees who within their organization is being laid off, or the local business community that sees what businesses are happening to grow in their area?

You're talking about including people, and that's great. I'm talking about including the kind of input that's necessary to make, as close as possible, the right guess. After all, you know, Robert Reich, in his book *The Work of Nations*, has pretty much set out what in the 1990s will be the parameters for defining the work of nations. Now that he's Clinton's appointee to labour, I think we have to put that into some perspective in what we're dealing with here. How do you do that?

1520

Mr Pelissero: I'd like to respond in the sense that you say if both business and labour get it wrong, then everybody suffers. Mr Grootenboer says 65%; I'm saying 60%. I would like the opportunity for that 60% to 65% to be part of that decision-making process if they in fact end up being wrong. Right now they're being excluded from offering any type of opinion, offering any type of expertise they might have with respect to the training process. Right now you're saying that all the seats belong exclusively to and all knowledge related to training resides with the Ontario Federation of Labour and the building trades council.

Mr Wiseman: No, that's not true.

Mr Pelissero: Sure it is.

Mr Wiseman: Not when you look at the board.

Mr Pelissero: Sure, the way the board is structured right now in terms of nominations. You're saying that organized labour has the advantage of having the statistics and are able to analyse it etc; your words. I'm saying that all knowledge doesn't necessarily lie within that group of people.

Mr Wiseman: I didn't say that. I asked, how do you get the composition on the board to have as great an opportunity of getting it right as possible?

Mr Pelissero: By allowing as much input as possible from a total representation of the labour force; that's how you get it right.

Mr Ramsay: By getting as many different views in there as possible.

The Chair: Mr Wood.

Mr Wood: Talking about percentages, going back to September 1990, I think we are trying, as a government, to represent most of the people and trying to get a training program out there. But you've got to remember that a majority government was formed with less than 40% of the population. The other percentage went to the Conservatives and Liberals, who form the opposition parties; they give advice as to what changes they'd like to see to legislation. So when you talk about percentages representing labour or business, whether organized or unorganized, people like to think they're speaking on behalf of everybody as a government, that when you put a committee of that kind together, of 22, 23 or 24 at the OTAB level and then other groups at the local level, the people are speaking for the betterment of Ontario as a group to have a good training program out there. I just wanted to see what reaction there was to that.

Mr Pelissero: If you want to compare it to the election, it would be like saying to 60% to 65% of the population, "We're having an election, but you can't vote." That's what you're saying to 60% to 65% of the population with respect to the eight seats on the labour side: "We're having an election, but you can't vote. We'll take your dollars."

Mr Wood: I don't agree with that.

Mr Pelissero: I'm just using your analogy. If you look at the Legislature, there are representatives from the Liberals, there are representatives from the Progressive

Conservatives and there are representatives from the NDP. I don't see the same type of flexibility or structure within the eight seats to allow that makeup.

Mr Wood: No, I'm talking about the 22.

Mr Pelissero: Even within the business community as well, as I said earlier, I'm more than willing to say that there has to be some mechanism devised to allow those individuals who are either in business for themselves or a small company, whatever, who don't belong to either a chamber of commerce or to the Canadian Federation of Independent Business—I use those as the two big-name organizations—that you can develop the same type of nomination process that I identified with respect to changing some reporting functions on the UIC, because that's where the dollars and cents are coming. They're coming from the UIC through the federal government.

Mr Gary Wilson: Well, the feds didn't do it, nor did other jurisdictions.

The Vice-Chair: Thank you very much. Mr Ramsay and Mr McGuinty.

Mr McGuinty: Good to see you, Harry. I was hoping there for a minute that you'd actually be able to solicit some kind of intelligent response to a query that has been put to us countless times, as you might imagine, as to where the fairness lay in having representation of Ontario's labour force provided by a small minority. I don't think a good answer will ever be given to that. I appreciate your efforts, and I hope the government will mull this about for some time and come up with some kind of amendment at the end of the day.

Mr Ramsay: Or an honest answer, anyway.

Mr McGuinty: Let's just pursue this, though. Let's assume that no amendment is made and programs are being implemented, that something is going on at OTAB or at the LTAB. Who are you going to hold accountable?

Mr Pelissero: Under the present scenario I'm not exactly sure, but I'm assuming OTAB, which is unelected in the sense that it's at the nomination of its particular interest groups. Within the development of the OTAB board of directors in terms of the nomination process, certainly if I had nominated someone who wasn't acting in what I felt was my best interests, I would want to have the right to recall that particular individual. That's an issue as well.

In terms of fairness, while we still have a couple of minutes left, I would hope that the two opposition parties here today would be willing to go on the record with respect to amending Bill 96 or the OTAB process, should either of the two opposition parties form the next government. You see the inequity, and you have the opportunity to go on the record as saying, "Yes, we think the OTAB nomination process should be amended to allow, not only from the business community but from the labour community as well, the ability to have a nomination process and the representation of the total labour force."

Mr McGuinty: My concern is what's going to develop here, that if those groups that do not see their interests specifically represented contact their member, the member will say: "Listen, it's kind of like Ontario Hydro

or Workers' Compensation. They operate pretty well at arm's length; they've got an independent group and they pretty well run the game themselves." Even if I were a member of organized labour and I felt that the person up there representing my interests wasn't doing a good job, I'm not sure how the accountability exists in that regard either, appointed by the government for a certain term.

In any event, I hear what you're saying with respect to a commitment. I'm sure my learned colleague will take that under advisement and we'll be discussing it.

Mr Ramsay: I'd just say to Mr Pelissero that I am preparing an amendment now to bring greater fairness to the representation on all sides. We'll be moving those amendments later on.

The Vice-Chair: I'd like to thank the Independent Contractors Group for its presentation and you, Mr Pelissero, for so effectively bringing those views to the committee. Thank you very much for your participation.

SKILL DYNAMICS CANADA,
IBM CANADA LTD

The Vice-Chair: The next group is IBM Canada, if it could come forward. Good afternoon and welcome. If you could identify yourselves for the purposes of Hansard and then proceed with your presentation, you're allocated one half-hour. The committee would appreciate having 15 minutes of that half-hour for questions and answers.

Mr E.R. Israel: My name is Rony Israel, and I am the general manager of Skill Dynamics Canada. It's an IBM Canada company dedicated to learning excellence. With me is Laurie Harley. She is the manager of public affairs for IBM Canada. We welcome the opportunity to comment today on Bill 96, An Act to establish the Ontario Training and Adjustment Board.

I'd like to cover three areas in my remarks: First, I would like to briefly tell you why I'm here and feel qualified to comment on OTAB; second, I'd like to offer my personal views on implementing workplace changes; third, I would like to comment on the specific provisions of Bill 96 and offer suggestions for improvement.

Let me say first of all why I'm here. I am appearing before you today wearing several hats. For the past three years I have been the director of education for IBM Canada. I have been involved in managing IBM's annual investment of about \$50 million in education and training. To put it into perspective for you, we have invested about \$4,500 per employee. Our total budget approaches that of a medium-sized Canadian university. IBM has always believed in investing in its human capital, but last year we actually picked up the pace and we have increased our spending by about 20% per employee. I'm going to let you know why we have picked up the pace.

1530

First, let me remind you that 1991 was the worst business year for IBM Canada in its 75-year history. We recognized that we had to accelerate our transformation to a market-driven, quality company. We had to re-engineer our offerings so they were able to satisfy our customer needs. We also had to re-engineer our business processes to be

more responsive. Over the years, we had become an internally driven company and that had to change dramatically.

To succeed in our transformation, we had to reassess the skills of our people. We had to reskill our people to meet the new requirements. Simply put, it was a matter of survival for our company. For us, survival comes from a very flexible structure with a very highly skilled sales force and workforce where everybody is expected and given the opportunity to contribute. This kind of workplace allows an organization like ours to consistently meet customer needs, and ultimately that is the only real security we have.

I am proud to report that IBM Canada had a very strong business year in 1992 and we have returned to profitability. That is a very positive sign that our transformation is working. So I am here today representing an employer who understands the importance of training, has invested even more in difficult economic times and does a lot of investment in reskilling its own employees.

I also wear the hat of a private trainer. As part of IBM Canada's transformation, we started two years ago to move from an internally driven company to a market-driven organization. That meant shifting the focus to developing and delivering education services that met our customer requirements. As I said in my opening remarks, in January of this year I became the general manager of a new company we called Skill Dynamics Canada.

Our relationship with IBM is somewhat parallel to that of the OTAB's relationship with the Ontario government. We are still affiliated with IBM and we are accountable for achieving business objectives, but we operate at arm's length, with greater flexibility and autonomy. IBM is my largest customer, but my focus at Skill Dynamics is to offer our services to a broader Canadian marketplace. Our home base is the state-of-the-art that some of you already know.

We have invested \$200 million in our education centre in Markham that can accommodate up to 3,000 students, with classrooms available in IBM branches from coast to coast. Today we offer over 450 courses that range from how to operate a personal computer, to how to manage stress, to programs for leadership and executive development. So skills training is the business of my new business.

Finally, I would like to offer my comments as someone who has spent his career in the technology business; as a matter of fact, my past 25 years. I appreciate the need for high levels of technical, engineering and scientific literacy required in a world-class workforce, as well as the softer skills such as communication and teamwork. But my background has also allowed me to see the widening gap between the skills business needs to survive in the information age and the skills being developed in our formal school system.

It is not that the schools are not doing a good job or they are doing a poor job; it's that the change is happening so quickly in the marketplace that the education system is not capable to keep pace with it. I understand reform of the formal education system is not within the OTAB's mandate, but I would like to caution the committee that unless it follows a parallel process of reform, the cost of the training gap in the workplace will become prohibitive.

Those are my credentials. Let me move on to offer a personal perspective on successful workplace training. Let me begin by applauding the government for the important initiative that it is launching with OTAB. OTAB provides an opportunity for Ontario to lead the change process in our workplaces and not simply to respond to it. Every employee and employer in the province has a vested interest in its success. When government decides to embark on this type of innovative approach that turns over substantial amounts of tax dollars to an arm's-length organization, there must be confidence that the new body will be successful in its mandate.

Over the past two years I have been involved with the transformation of IBM Canada and the creation of Skill Dynamics Canada. I have learned several key lessons and I would like to share my personal view with you before I get into the specifics of Bill 96.

The first and most critical lesson we have learned is that for change to occur there must be a vision, a picture of what we want to see in Ontario workplaces when we enter the 21st century. That means identifying the characteristics of tomorrow's workplace and the skills we need to fill tomorrow's jobs. That is a task that should be led by business and labour with input from other workplace partners. If we focus only on today's problems, we will be playing a continuous catch-up game. If we anticipate what's coming, we will be able to leapfrog and we will be very well positioned for challenges we will face down the road.

Once we have a shared vision and know where we are headed, we need a strategic framework, a roadmap if you would like, that outlines how we're going to get there. The framework should help to articulate several key factors: Our mission is one factor, that states why we exist; our strategies, how we are going to achieve our mission; our implementation plan; and our key measurements, which really translate into how well we will be able to measure our success. The entire framework is built on our set of values, the things that we believe in that will shape the culture of our organization and guide all our decisions.

Strategic frameworks for innovation and for innovative organizations such as OTAB should be models of transformation, the structure and processes of the information age, not the industrial age. Let me put the emphasis on the word "information" for a minute. The industrial age was driven by investment in physical equipment, by hierarchical organizations that directed and controlled what we call the busy finger work, the type of simple work, repetitive work, performed by unskilled workers under direct supervision.

That era has gone. We now live in the information age. It is driven by investment in human capital, by flexible, responsive organizations and management systems that foster empowerment of the knowledge worker who contributes to the development of our high value added products and services that meet market needs. It is a very different paradigm. If OTAB is to have a successful impact on changing skills in the workplace, its own strategies must reflect that new paradigm shift.

In addition to a vision and strategic framework, the final success factor is leadership. Leadership means listening and consensus building, but it also means tackling

tough decisions when viewpoints differ. The common vision and the shared values will provide the foundation, but it still requires leadership to set priorities and to balance conflicting objectives.

To summarize, my experience suggests that to drive change you need a vision, a strategic framework and clearly defined leadership to make it happen.

With these factors in mind, let me turn to Bill 96 and make some comments and proposals about it. I suppose the best term to describe my reaction to Bill 96 is disappointment. I had very high hopes for the OTAB process; I have been involved with it for two years, as I said. My expectations seemed to be consistent with many of the public statements made by the the Honourable Richard Allen when he spoke of a training system that would be second to none in delivering the highly skilled workforce we will need for economic renewal and job creation in this province.

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OTAB has the potential to be an effective agent for change, not just another agency that offers access to training. If I compare Bill 96 to the critical success factors I have just described and I have personally gone through, it comes up short in several key areas. It lacks a vision. It confuses values with purposes. It focuses primarily on how-tos and provides no formula to ensure for effective leadership. Let me explain what I mean by these comments.

There are four purposes outlined, as you all know, in Bill 96. The first is to enable the workforce partners to play a role. That's what the first purpose says. In my view, that is a strategy for how OTAB plans to operate; it is not a purpose.

The second purpose is to give access to programs and services that will "lead to the enhancement of skill levels, productivity, quality, innovation and timeliness and the improvement of the lives of workers and potential workers." In my view, that is a mission statement that explains why OTAB exists. Unfortunately, access to training programs alone does not improve the life of any worker or potential worker. Training is a how-to that opens doors in the workplace. Improving the lives of workers comes only when the skills are put to work, creating value added products and services that the market needs.

The third and fourth purposes provide good descriptions of the value system and the principles under which OTAB will operate. That is, it will operate under the principle of equity and access and within the framework consistent with the economic and social policies of the Ontario government. In my view, these provide an essential foundation for OTAB's operation, but they are not the purpose of the act.

Then let me move on to what is missing, from my perspective. What's missing is a vision that will make OTAB not just another agency but an innovative model for bringing about meaningful change. The vision must focus on the skills Ontario needs to create wealth so we can strengthen the quality of our social and physical environment. Without that vision and a supportive strategic framework, I am concerned that OTAB will not realize its full potential, and that means we all lose.

Here are several suggestions I have for improving the bill:

(1) Add a strong statement of OTAB's vision to the purpose clause, for example: an Ontario with the most effective highly skilled workforce in the world that makes Ontario an attractive home for investment in knowledge-based work.

(2) Clarify OTAB's mission statement. Replace words such as "giving access" with action-oriented phrases such as "drive change." OTAB exists to foster high value added workplaces and should be accountable for its success in upgrading skill levels. Remove words like "improve the lives of workers and potential workers." I don't think it is realistic to hold OTAB accountable for this board mandate.

(3) Turn the third and fourth purposes into statements of principles. For example, "OTAB is founded on the fundamental principles of access and equity. OTAB recognizes and supports Ontario's linguistic duality and the diversity and pluralism of Ontario's population." These values and principles will guide its operation consistent with the economic and social policies of the Ontario government.

(4) Strengthen OTAB's commitment to innovative structure by enshrining a client-driven and quality approach to delivery of programs and services. This will ensure several things:

It will force OTAB to adopt an organizational structure and culture that will tap the creativity and ingenuity of the workforce by providing more authority and responsibility at the local level.

It will allow local boards to reflect the training requirements of their local communities rather than fit a pre-set mould.

It will allow all trainers, whether publicly funded or private, to compete for opportunities to deliver training based on quality criteria. Introducing quality criteria and competition will also foster change in our formal education system.

(5) Provide business and labour with the ability to fulfil their leadership roles in OTAB. Ideally, OTAB decisions will be made by consensus; however, failing consensus, a double-majority rule should be included that requires business and labour to support decisions within the framework of an overall majority.

In summary, I'm an avid supporter of the OTAB concept. I am disappointed that Bill 96 fails to capture the innovation and the imagination needed to foster cultural and behavioural change in Ontario's workplace. I have offered my comments to you in the spirit of improving the process that has great promise and I want very much to succeed. I am open to your questions.

Mr Gary Wilson: Thank you very much for your presentation, Mr Israel. It was certainly a very sensitive discussion of the issues that are behind OTAB. I was really pleased with your introduction and your first two sections. Of course, when you got down to discussing the bill, I was a bit disappointed to hear of your disappointment, but perhaps not that surprised.

Mr Israel: That's okay. Maybe we can make it better now.

Mr Gary Wilson: Exactly, and given your high standards, perhaps it's going to be hard to match it. Anyway, we certainly want to use your experience. You touch on a number of points that we're trying to achieve through OTAB. I just wanted to ask you, though, about your experience at IBM. Just to make this clear, when you talked about the training that you've carried out there, I think you used a figure of \$4,000 per employee?

Mr Israel: It is \$4,500 per employee.

Mr Gary Wilson: Right. How does that work out? Would that be for each individual?

Mr Israel: This is an average. If you take the total \$50 million that we spent for our employees—we have about 10,000 employees—that is about \$5,000.

Mr Gary Wilson: Okay. What I'm getting at, though, is that we have a statement from Allan Taylor, who says that only 30% of private companies provide training, and that training usually is at the top end, that is, managers and executives, rather than front-line workers. How does your average work out?

Mr Israel: We don't differentiate between managers, we don't differentiate between professionals. We are all employees of the corporation and we all invest in our own skills development. The company has really invested this amount of money, but it has been delegated to each individual to take the training and the skills that they require to do their job best.

To give you an example that might be interesting to you, we have also made arrangements with universities that have a capability to transmit via satellite information to our workers and provide them with the ability to use our facility and our technology to take undergraduate and graduate courses to enrich their skills. So we put the technology to work for our employees with no differentiation if they are managers or not. As a matter of fact, if any category has been neglected, it is probably the executive category.

Mr Gary Wilson: Yours is different then from the one Mr Taylor describes. You'd say yours is more evenly divided.

Mr Israel: That's correct.

Mr Gary Wilson: I wanted to ask you, though, about what you mentioned here on page 4, that in part of the vision you say you agree with the fact that the major labour market partners are making the decisions or sharing in the decisions that involve OTAB.

Mr Israel: That's correct.

Mr Gary Wilson: I was just wondering about the client-based nature of it and what you see as coming from that, especially given your experience of dealing with all sectors of IBM, how that would carry over into the larger workforce.

1550

Mr Israel: If I understand your question correctly, it is why do I believe that labour and business must have a consensus and understand the issues.

Mr Gary Wilson: Exactly. You also make a point of saying other workplace partners as well.

Mr Israel: That's right. What we need to understand is that we all have, as workplace partners, a single and common goal, which is to develop a very highly skilled workforce. That's the only way we see Ontario develop and attract businesses into Ontario. It's not by having a nicer building or a nicer machine. People will come to Ontario to benefit from and exploit the highly skilled, valuable people.

When that is understood and that is shared, it doesn't matter if you're a businessman or if you're a worker or if you're a minority representative. We all have the same basics. We are dealing with human beings. Humans are what we need to deal with. As a result, we have to share the fact that we need to skill these people for the future, and not to skill them only because they happen to be part of a minority group or another group.

We all have our own preferences, and that's fine. What is not fine is when these preferences take political slants and minimize the skill investment in our people, and therefore we all lose. The individual represented by a group loses if he doesn't get the skills that he needs when he needs them to compete very aggressively, and not with the worker next to him; he has to compete in attracting the world investments to us.

That's the reason why, with my experience, we made no differentiation in any of our investments if the individual was a woman, was handicapped, was a coloured person, an aboriginal, a man, a woman, an English, a French or whoever. We wanted to make sure that everybody had access to all the training they need, as they believe they need it, to be competitive and make us better as a whole.

Mr Ramsay: Mr Israel, I'm just blown away by your presentation. It is so precise, it is so on the mark, it is wonderful. I wish I had the power to offer you the job of being the CEO of OTAB, because you are the type of person the government should be getting in there to get the agency set up and get it running.

Mr Israel: Thank you for your nice words.

Mr Ramsay: Absolutely. I cry when I just read this bill, because you've put it in a much more polite way than I will, but the purposes and the objectives are so airy-fairy, they are so weak. We had a purpose that really we were going to do something to produce highly skilled workers in Ontario. Then we started talking to a lot of people and, "Gee, we had better start making a lot of people happy." So now we've got about 18 objectives in here. We're going to support the public school system, we're going to do this, we're going to do that. We're getting so off the mark on what we really wanted to do, and you nailed it right down again and tightened it up.

What we really want to do here is create an agency that will produce highly trained, effective, efficient workers, the best in the world. That's what this is all about.

Mr Israel: Tremendous to hear that.

Mr Ramsay: I don't think it says that anywhere. You've given us some very good language that we could put in here. I thank you for that help and I would like, if

you'll allow me, to steal some of that to incorporate into amendments because I think it's just very helpful. I think it's excellent.

I really like the philosophy that you have adopted at IBM in regard to the worker being able to empower herself or himself to get knowledge. That's what I would like to see a government do: Whatever system it is, you have a smart card, you have a storefront operation in each town and city, and you're able to go in basically and get a bit of counselling as to what you might need and get some agreement there and be able to go off on your own and get that training that you feel you need, with some advice so that you can acquire that skill and knowledge to prosper. I think that's really important.

I think your business particularly is a very progressive business, and more businesses need to be catching up to your ethic. I wish more businesses in Canada were. I think they're not all there, for sure. You're a leader. Government's got to catch up to that ethic too. Again, you are to be congratulated. We wouldn't have the problems if all businesses did what you did. We wouldn't need OTAB actually. The private sector really hasn't pulled its weight in this country in regard to training. Not all of them have recognized, as your company has, the importance of skills training, and you are to be congratulated on that.

I appreciate accountability. I think that's important too and I think we need to incorporate some sort of system to measure the results. That's got to be important, and I'll certainly be working on that. I like the whole idea that this whole organization has got to be an agent for change. I think that's important too.

Again, I'd just like to thank you for your contribution. I certainly will be trying to move some of your ideas into this legislation.

Mr Israel: Thank you very much for your comments.

Mrs Cunningham: It's a pleasure to have you here this afternoon. You have made some important statements, but I think the fact that you're here representing a company that has contributed so much to this province and this country, we're very appreciative that you took the time to be here and we value your recommendations. I'm afraid you're going to have to do a little bit more work, though, because I'm going to ask you some questions.

So far, we have not convinced the government with regard to changing the purpose clause, although I feel it's seriously listening. I don't think I'd take more of your time on that, but I will ask you to talk to two issues you raised. Do you have the bill before you right now?

Mr Israel: Yes.

Mrs Cunningham: Section 4, paragraphs 14, 15, 16.

Mr Ramsay: I have it here, Dianne.

Mrs Cunningham: Thank you very much, David. I would ask you to look at—

Mr Israel: "To promote appropriate and sustainable levels of investment in labour force development."

Mrs Cunningham: Yes. Actually, take a look at 15 and 16. The complaint from the private trainers, first of all, is that they're not recognized, they're not valued. They feel

that the government wants to steer the training dollars into public sector colleges and not-for-profit trainers, whatever that means.

They're saying that "to make effective use of Ontario's diverse educational and training resources" is weaker than "to seek to ensure, within the scope of OTAB's operations, the strength of Ontario's publicly funded education systems." They feel that in those two clauses the publicly funded education systems, to be quite frank, the community colleges—"to seek to ensure" is stronger, and they want to be either recognized by direct reference, private trainers, or to strengthen and add to clause 15. I'm wondering if you would comment on that.

Mr Israel: Sure, I will. Thank you very much for raising it to my attention.

The first comment I would like to offer is, the reason I put the emphasis on quality is because it doesn't matter who provides the training, a private trainer or a publicly funded trainer, as long as the quality of the course—and quality means it meets the needs of the skills that need to be improved to get it highly skilled. That is the measurement and the gating factor.

The fact also that you are using and calculating success by how much money you have dished out is the wrong measure. It doesn't matter how much you pay as long as you are giving it to the people who are using it to improve their skills and taking it for the best available on the market, regardless where it comes.

Your suggestion of an amendment to remove the word "publicly," which is the one I have said, to include private trainers comes from my personal experience that I have colleges that you are publicly funding and they have a hard time being able to respond to the needs of the people you are funding. People are coming to them, knocking on their door, they want skills improvement, and they cannot deliver it.

Colleges are turning to me, saying, "Can we have a partnership program? We will flow you the dollars that we are being funded," so I can provide them with a quality education. I'm saying, don't have middlemen. You're just fooling the worker. Just make sure that the worker has access, but access after consultation and coaching of what are the skills he or she needs to develop in order to be successful.

Success of the worker is what we all have at heart. If as a government with this bill success for you is having colleges survive, that's the wrong purpose. Colleges, private trainers, publicly funded, non-publicly funded: They're all in the same game of improving skills. Quality of the skills and being up to date, looking forward and not looking backwards, is what is required, and that's the reason I made the comment about the gap, that today we are all disappointed that maybe business is not investing enough.

Let me tell you, if you are disappointed today and nothing happens by forcing the publicly funded education system to narrow the gap, you are going to have a collapse on your hands. Business cannot afford to bridge the gap all the time. Let me give you a figure for your records. At IBM Canada, the first-time employee we hire off campus, who has gone through all the publicly funded system, just

15 years ago was costing us anywhere between \$50,000 to \$100,000 to bridge the gap. It is costing us today over \$250,000. Guess what is happening? We have frozen our hiring. We are hiring fewer and fewer people. We cannot afford to hire and spend \$250,000. This is at IBM. Imagine businesses where \$2 million is their whole annual revenue. What do you expect from them?

You have to make sure, as representatives of the workforce and for the good of Ontario, that you put in the law, as you said very well, that quality training is the aim and it doesn't matter who provides it; you will be facilitating and refunding the workers to get to it.

1600

The Chair: Thank you, sir. I want to thank you on behalf of the committee—IBM Canada, of course, but Ms Harley and Mr Israel—for your interest in this matter and for your attendance here today. Clearly, you have provoked a great deal of thought among members of this committee and that's a good thing. We are grateful to you for taking the time and having the interest to come here and help; that's in effect what it is. I'm trusting that you'll be tracking this legislation as it continues on in committee and then back into the Legislature for third reading. We welcome any further comments and we extend our real appreciation for your being here this afternoon. Take care.

ONTARIO NETWORK OF EMPLOYMENT SKILLS TRAINING PROJECTS

The Chair: The next participant is the Ontario Network of Employment Skills Training Projects.

While they're seating themselves, let me thank Mr Huget and Ms Murdock for assisting me by functioning as vice-chairs while I had to be out of the room for the first 60 minutes of this afternoon's session. I am grateful to them.

Please have a seat. Tell us your name, any titles or positions that you may want to. We have your written submissions. They'll form part of the record by virtue of being filed as an exhibit. All the members will read them carefully. Try to leave us the last 15 minutes for some exchanges and dialogue, please.

I want to welcome Mr Stockwell, who notwithstanding that he's not on this committee, expresses his interest in this legislation by coming here this afternoon, as is his right under the standing orders.

Go ahead, ma'am.

Ms Sandra Dobrowsky: My name is Sandra Dobrowsky. I am the executive director of the Ontario Network of Employment Skills Training Projects. I would like to thank the committee for giving us the opportunity to make a presentation today in relation to Bill 96. What I'd like to do initially, though, is to tell you a little bit about our organization very quickly, and community-based training, because that is what our organization is and does.

The Ontario Network of Employment Skills Training Projects is an umbrella organization in the province of Ontario whose members sponsor about 200 community-based training projects. Community-based training, for those of you who do not know what that is, I'll give you a bit of a definition of it. Community-based training is a

participant-focused model of training or pre-employment preparation. It is delivered by registered not-for-profit organizations. The model ensures access to training and/or pre-employment preparation by individuals facing barriers to participation in the labour market.

Community-based training is based on the following philosophical principles: a focus on personal autonomy of participants; an holistic approach in which counselling and support services are integral, continuously working towards a barrier-free access; a cultural sensitivity, in its broadest sense, to the diversity and specific needs of participants; and they operate within anti-racist and anti-discriminatory practices and policies. Community-based training is characterized by flexible training which addresses individual needs in non-institutionalized environments.

My organization has been involved in the OTAB consultations since last November and we are one of the representatives on the education and training steering committee. We are there representing community-based training, so we've been very involved in the whole process and we have some specific ideas about Bill 96. I'm going to address the paper you have in front of you.

Specifically, what I did was a line-by-line analysis of the bill. In section 4, on page 4 of the bill, if you have the bill in front of you, it has "Objects." "To identify and seek to eliminate systemic and other discriminatory barriers to the full and effective participation of disadvantaged and underrepresented groups in labour force development programs and services."

Our feeling is that this section is limited in its approach. The barriers to full and effective participation have as much to do with lack of support services, such as child care, housing, transportation etc, as they do with discrimination.

Also in "Objects," paragraph 4(1)13 is, "To seek to ensure that labour force development programs and services are of high quality and achieve the best results and the best returns on investment...."

While we, of course, agree with the premise of cost-effectiveness, the statement "best returns on investment" raises a flag for community-based training, since the people we offer training to may not be as cheaply trained as those people who are more job-ready. People who are not job-ready have a set of barriers that is not so much related to the recession's lack of jobs as it is to personal or systemic barriers. Our concern is that the training needs of our target groups will not be considered by OTAB to be worthy of investing in, not "the best returns on investment."

In addition, in order to assess the cost-effectiveness of training, standards of measurement must be developed. This would ensure that the cost-effectiveness measurement is applied in a consistent manner.

Paragraph 4(1)16: "To seek to ensure, within the scope of OTAB's operations, the strength of Ontario's publicly funded education systems." Our belief was that the OTAB model is designed to help create economic renewal for the province of Ontario by ensuring that Ontario's labour force is highly skilled and adaptable. It has never been our understanding that OTAB is designed to protect the public education system. It is a recognized fact, both within and

outside the public education system, that it must embark on true institutional reform.

It seems that to ensure the strength of a system without the concomitant requirement for its reform flies in the face of what OTAB was designed to create, a highly skilled, adaptable workforce able to attract and sustain investment in this province. The source of that was Skills to Meet the Challenge, A Training Partnership for Ontario. That was the consultation document.

Paragraph 4(1)18: "To recognize and support, in labour force development programs and services, the diversity and pluralism of Ontario's population." This is a philosophical statement without substantive proposed actions. Added to this sentence should be "and a stated commitment to promote training appropriate to the needs of this population."

Clause 4(2)(b), "Criteria," and subsection 12(2), "Public meetings": One is to "operate within a framework of accountability to the government of Ontario." and the other, "At least two directors' meetings each year shall be open to the public."

Both of these address the issue of accountability, but they stop short of the type of accountability that will be necessary. The meetings of the OTAB governing body should not only be open to the public, but actively seek participation of the public. Openness must be included as an operating principle in the legislation. This is crucial to the sense of public accountability. There is a need for a clarification in the legislation. As it is presently written, it remains too open to interpretation.

Subsection 9(2) on the directors: In the legislation, it says, "There shall be 22 directors, appointed by the Lieutenant Governor in Council, as follows:" What we're saying is the labour market partners who are specifically named in this section do not allow for flexibility in that once legislation is enacted, it is very difficult to change and can be quite inflexible. We recommend amending that section and adding that "additional directors representing labour market partners not now represented may be appointed in consultation with the groups that those directors shall represent."

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In subsection 9(4), "Criteria": "In the selection of directors, the importance of reflecting Ontario's linguistic duality and the diversity of its population and ensuring overall gender balance shall be recognized." We believe that these criteria stop short of requiring equity goals for the labour market partners' directors. The question is whether the labour market partners will voluntarily ensure that their representatives are representative.

Temporary vacancies: According to subsection 9(8), "If the position of a director becomes vacant, the Lieutenant Governor in Council may appoint...." What we're saying is that the filling of vacancies and temporary vacancies should be achieved in consultation with the organizations representing the group that the director is to represent.

Subsection 15(2), the bylaws: "The directors shall pass bylaws dealing with conflict of interest, which may impose restrictions...." What we're saying is that the conflict-of-

interest guidelines must be expanded beyond the personal conflict-of-interest to organizational conflict of interest.

The reference committees: We're suggest the language be changed to say not that the "reference committees may be established," but that the "reference committees shall be established." Reference groups must be established to ensure the accountability of directors. In addition, the words "and others as needed" should be added after the words "section 10." This would allow for additional reference groups to be established if the need arises.

Section 20, "Funding": "OTAB may provide funding to reference committees, in accordance with the regulations." What we're saying is that the wording "may provide funding" should be changed to "shall provide funding." If reference groups are not funded, then the reference group's ability to complete its tasks will be dependent upon its economic resources. Some reference groups have more access to financial and human resources than others. The issue then becomes one of lack of equal access.

Section 30, "Regulations," regarding the decision-making: This is an issue that I'm sure everybody is bringing up, and I was just listening to the gentleman before me. It's a very difficult issue and we talked about it within our own organization. What we're recommending is that a triple majority vote be used when consensus cannot be reached, meaning five out of eight business, five out of eight labour and four of six equity and education-training. We recognize that the model is to be driven by business and labour, but we believe that unless a decision-making mechanism is created that will ensure the other labour market partners have a role to play, they are nothing more than token partners.

We're suggesting a triple majority. If you can come up with another decision-making mechanism that ensures we don't have tokenism within the directors on the Ontario Training and Adjustment Board, we would be glad to hear it, but at this point we can only think of a triple majority.

Section 30 in the regulations: "The Lieutenant Governor in Council may make regulations respecting the establishment and composition of reference committees." We recommend that the following be added to the above statement: "and that the reference committees may include groups named in subsection 9(2) and section 10 and others."

There are miscellaneous issues that are not addressed in the legislation; that is, evaluation. The legislation is not complete, in that there is no provision for mandatory evaluation of the operations, mandate and composition of OTAB, its councils and local training and adjustment boards. Evaluatory procedures must be built into the operations to ensure quality, cost-effectiveness, accountability and sustainability. This must be built into the front end of this initiative so that it will have the capacity to evaluate and adjust on a continuing basis.

An appeal, the last item: There must be an appeal process built into the legislation as it relates to the allocation of funding for training programming.

That's the end of my presentation. I'm open to any questions, if you have any.

The Chair: Thank you, ma'am. I am sure there are going to be questions and comments. Mr McGuinty.

Mr McGuinty: Thank you for your presentation. I want to focus on your comments with respect to accountability.

First of all, I must say that I'm attracted to this idea of having a public meeting to ensure that there's some kind of openness. Can you comment a bit more generally in terms of the accountability? I have a grave concern that there's not going to be any accountability in any real sense, that we're going to end up with an organization funded by the government, and that the people who are making decisions at a level where they're going to be dealing with the money and distributing it are not going to be accountable to the taxpayers. I wondered if you might comment on that.

Ms Dobrowsky: I was just going to say what you just said, which is that they will be responsible for allocating a great deal of money, public funds. Having meetings that are not open to the public, meetings that are behind closed doors, makes it appear that there is a lack of accountability. There has to be an appearance of accountability as well. People must feel that they know what's going on, that things aren't being done behind closed doors. The one example that I must give you, which everybody brings up, is the Workers' Compensation Board.

This initiative is a wonderful initiative, but there has to be a very strong sense of accountability to the public. The public must feel that they have definite input into those decisions that are made. Having open meetings to the public I do not see as problematic and our organization does not see as problematic.

Mr McGuinty: Yes, I would consider it to be absolutely fundamental.

You also raised some good points with respect to the reference committees. You see, I didn't pursue the development of this legislation. To some extent, I have an advantage, because I just look at the bill, and the bill makes reference to reference committees. It says they may be established in accordance with the regulations and in reference to those particular groups under subsection 9(2) and section 10, and OTAB may provide funding. What is your understanding of what role reference committees would play?

Ms Dobrowsky: That is very much a part of that issue. I have to give you an example. The education and training steering committee will turn into a reference group. That steering committee is supposed to be representative of the education and training sector in the province of Ontario. It is supposed to inform the rest of the education and training sector in Ontario of what is happening and to get feedback from them about the positions that they want that committee to take. So it becomes the first level of accountability in relationship to the directors who are on the education and training steering committee.

If those reference groups are not funded, then in some cases there will be labour market partners that would not be able to have access to that flow-through of information, because they couldn't afford to do it. They couldn't afford to travel in from Ottawa or from Sudbury or from wherever to become part of the informing of the directors. In

other words, once the directors are appointed, there have to be reference groups behind them or some strategy where they can get their advice. They just don't go blind into this thing and sit there for the next three years and make their decisions based on their own sense of what should happen. They are to go out into the constituency that they're serving to find out what those issues are, and the reference group serves that function for them.

Mr McGuinty: Right. As you point out, unfortunately, the reference committees are simply not mandated under the bill. There's no obligation in here that they even be formed. All right, thank you.

Mrs Cunningham: I want to congratulate you on such a thorough presentation. I don't say this very often, but unless I'm corrected by my colleague Elizabeth Wither, who's been working hard with me on this, I think I agree with everything you said. There are a couple of places where I'm wondering if you would expand, but you've obviously given it close scrutiny, and that's great. I mean, that's what the committee's looking for.

Paragraph 4(1)16, the objects: I noticed in many places you've actually given us the wording that you'd like to see.

Ms Dobrowolsky: Yes.

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Mrs Cunningham: I'm wondering if you would like to be more specific here. I noticed that you were here for the previous presentation and you saw the questioning around the fact that the private sector trainers are concerned that they're not recognized. I think they're also concerned that this protection of the public education system has been overstated, or maybe the other's been understated. I'm wondering if you could volunteer or offer something in view of an amendment to paragraph 16, or maybe we should just add another clause. I don't know.

Ms Dobrowolsky: In terms of that, "To seek to ensure, within the scope of OTAB's operations, the strength of Ontario's," there's a wee wording that can be done on that which would be "to build on the strengths of," which is something that our organization would be more comfortable with. "To build on the strengths of" is very different than "to seek to ensure the strength of" something. There's a totally different focus to it.

We recognize that the public education system is a very large, very important system in this province and we don't have a problem with building on the strengths of that system. Where its strengths are, those should be built upon. We do believe that number 15—I don't have it in front of me.

Mrs Cunningham: I'll just read it, "To make effective use of Ontario's diverse educational and training resources."

Ms Dobrowolsky: That's a very weak statement.

Mrs Cunningham: That's what I feel too.

Ms Dobrowolsky: There's no question that is a very weak statement.

Mrs Cunningham: It's not as strong as "to seek to ensure," is it?

Ms Dobrowolsky: No, it isn't. It's very different.

The issue for us is that the cycle of learning means that a person, you or I or anybody in this room, at some point in our life might need to have access to any of the training systems. The five that have been articulated are the school boards, the community colleges, the universities, the private trainers and the community-based trainers. At any given time in your life you might need one of those systems. You might need to use the services of one or another of those systems. Our organization believes, as the previous person did, that whoever can deliver the best training should be delivering the training.

The concern for community-based training, which is very different than other presentations that you might hear, is the issue of the potential worker, not so much the workforce but the potential worker, because community-based training works with and trains people who in many cases have never been part of the workforce or have had a very erratic attachment to the workforce. So our concern is for the potential workers and for people who have had barriers to employment and to training and barriers to the public education system. But you're right; there's a big difference between those two statements. We're not opposed to seeing paragraph 16 if the wording is changed to "building on the strengths of."

Mrs Cunningham: Of the five groups.

Ms Dobrowolsky: Yes. "Building on the strengths of the public education system" is a little different than the way it's stated now. I would like to see paragraph 15 strengthened a little bit too because it's very weak.

Mrs Cunningham: Okay. On page 4, subsection 15(2), under bylaws in your brief you're talking about, "The directors shall pass bylaws dealing with conflict of interest, which may impose restrictions on directors' activities."

We've had some interesting comments. They haven't been in this regard, but this is very interesting. There have been some complaints that there's a problem within the business community as to who should represent business, whether it should be big business or small business. They have a group that is trying to work that out now. We're hoping that when they come back, both will be equally represented or at least there would be a consensus as to what the weighting ought to be.

With regard to the other partner that we need so badly, because it hasn't been there in the past, it is labour. All of the labour will be from organized labour: OFL, seven seats, one for construction. So when you talk about beyond the personal conflict to organizational conflict of interest, I don't know whether you're talking about that, whether it be the group they represent, but the concern has been that the OFL says it speaks for all business, even the two thirds that are not organized. I see this as relating to that same problem, but that may not be why you've got it here. I'm just wondering if you would just speak to that for a moment.

Ms Dobrowolsky: For us that was two separate issues. I didn't address that because I was only addressing the bill in this presentation, but one of the recommendations we made initially in our response to the consultation document was that business have representation from large business as well

as small business, small business being zero to nine employees, which is probably the majority of—

Mrs Cunningham: It is.

Ms Dobrowsky: Yes, okay. We felt the same with the labour, that some of those positions should represent unorganized labour. That's our position with that.

In terms of this conflict of interest, if an educator-trainer works for the college system and an issue comes up about large amounts of money to the colleges, that's what we talk about, the broader conflict of interest, that we would consider that those guidelines be expanded to include that, not just that that person personally would benefit from the decision but that the organization he or she works for on a full-time basis would benefit from that decision.

The Chair: Thank you. Ms Murdock and then Mr Wilson, please.

Ms Sharon Murdock (Sudbury): Actually, my point is on the same point that was last raised by Mrs Cunningham on section 15. I'm taking just a somewhat different tack, because I would think that the organizational conflict you're saying that it should be expanded to include is included by the section that says, "with necessary modifications," and that was my point when I read 15(1). I looked at that and thought it could also mean—I'm wondering whether or not you have addressed this issue, and if you have, I'd like your viewpoint. When you read something like "with necessary modifications," did your group look at the possibility of that precluding someone with a training background as being in conflict sitting on OTAB?

Ms Dobrowsky: I'm sorry?

Ms Murdock: Do you want me to repeat that?

Ms Dobrowsky: Yes, please, and in another way.

Ms Murdock: Oh. Okay. What kinds of conflict did you look at when you looked at the possibility of defining the kinds of conflict that might occur under the definition of "with necessary modifications"?

Ms Dobrowsky: I'm sorry, I was listening to—

Ms Murdock: She's taking up my time. I mean, I've got to talk to her here.

Mrs Cunningham: Just trying to help you. I was trying to help Sharon by putting the act there, because I couldn't remember that myself.

Ms Murdock: Just kidding.

What kinds of conflict, other than directors' liability, which is pretty clear under the Corporations Act, did you look at or did you discuss under that?

Ms Dobrowsky: It was our understanding that the conflict of interest this referred to was a personal conflict of interest for each director. They personally would not financially gain by decisions they were taking part in. This was our understanding. We wanted that broadened. Now, our understanding might be incorrect, which is very possible, but we wanted that broadened to include, say, if the gentleman who was sitting here before from IBM was one of the directors, if there was a decision that was made that could financially benefit IBM, then that director would be—

Ms Murdock: Organizational conflict. I understand that. I don't disagree with that.

The Chair: Mr Wilson, did you want Ms Murdock to use your time?

Mr Gary Wilson: Well, I want her to be satisfied with her concern.

Ms Murdock: It's okay.

Mr Gary Wilson: Are you finished?

Ms Murdock: No. I'll talk to some other people about it.

Ms Dobrowsky: We haven't gone beyond that.

Ms Murdock: Okay. Thank you.

Ms Dobrowsky: Sorry.

Mr Gary Wilson: Thanks very much for your presentation, Mrs Dobrowsky.

Ms Dobrowsky: That's good. That's a difficult name to pronounce.

Mr Gary Wilson: Not bad, eh?

Ms Dobrowsky: I'm always impressed when I hear that.

Mrs Cunningham: That's all he's been thinking about.

Ms Dobrowsky: Have you been practising it?

The Chair: You're right. For a fellow named Wilson, that's not bad at all, sir.

Mr Gary Wilson: I'm married to somebody named Oleinikow and it always throws people, but it hasn't helped much.

Ms Dobrowsky: We used to live in Kingston. Aren't you a representative from that area?

Mr Gary Wilson: Yes, that's right, Kingston.

Ms Dobrowsky: Maybe you've heard the name before in Kingston.

Mr Wiseman: Like the first day in class.

Mr Gary Wilson: I won't try it again. Let's get to the questioning. Of course, you've been involved with the education and trainers' steering group, haven't you?

Ms Dobrowsky: Yes.

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Mr Gary Wilson: I just wanted some of your reaction to that. Have you been pleased with the way that's worked out? Have you felt that your community-based training groups have had the contribution, the participation, that you had hoped to get and to see in OTAB as well?

Ms Dobrowsky: We've been participating as equal partners. We have the same number of representatives on the steering committee as everybody else.

One of the things we are coming to realize is that the education and training sector—and I think it's going to happen in all the groups. We're five totally different sectors. We've got private trainers, which are very different from community-based trainers. Even though we're not public institutions, we're very different in our philosophies of operation, so it has been a very difficult alliance. I realize it's going to take a very long time for us to come together

and have one vision. Maybe that is what the problem is with the whole process, that we haven't yet come together and got a sense of ownership to one large vision. We're still very separate, and those are concerns we have in the operation of this: that if we stay separate, it just won't work.

Mr Gary Wilson: But given the systemic barriers that exist now, and in your presentation you make it clear that you think even OTAB isn't addressing them, although I'm not quite sure that the phrase "systemic barriers" covers what you're raising, don't you think that's one of the hopeful signs; that since you have worked separately from the other groups, coming together in spite of the fact that at the beginning at least it's not problem-free, it does offer the best chance for identifying the barriers that exist, especially among the clientele you serve, and then bringing it to the attention of other groups, the other labour-market partners?

Ms Dobrowsky: Yes. That's one of the roles that we've found has been very helpful, because we've been very involved in this consultation process. Very few people really knew about community-based training or knew the kinds of people with whom we work and how successful we are. That process has expanded people's information in terms of the education and training sector. We feel like we're the conscience of that committee, because we're always there talking about: "What about people who have barriers? What about people who need to be in training a little bit longer or for whom it's going to cost a little more? They have as much right to training as somebody who is more job-ready."

The Chair: Thank you, ma'am, for appearing here on behalf of the Ontario Network of Employment Skills Training Projects. You've spoken effectively on their behalf, Ms Dobrowsky. We appreciate your attendance. We are grateful to you and your organization for expressing the interest and taking the time to address this particular issue. We trust you'll be tracking the bill as it goes through committee into clause-by-clause and any amendments. We invite you to keep in touch, and we tell you that it's important that you and others like you share their views during this very public process so that the legislation can be dealt with effectively by the committee. Thank you kindly.

Ms Dobrowsky: Thank you very much.

WATERLOO/WELLINGTON AREA LTAB FACILITATION COMMITTEE

The Chair: The next participant is the facilitation committee of the Waterloo/Wellington Area LTAB. Please, sir, tell us your name and your status with the LTAB and proceed with your comments.

Mr Bill Thomson: Thank you very much for giving us the time to come before you today. We have a report that is being typed now, and I'll send it down. What I'd like to do is summarize it.

I am the chairman of the local facilitation committee. It's been under way for some three years. It started out as a thing called Partnership 2000, made up of labour, business, the educational facility people in our community, the trainers, both private and public, the community-based trainers

as well, and social services and even municipal representatives. We got together to see if as partners we could work cooperatively together to coordinate and facilitate training and retraining in our particular area so that our people could perhaps move through the system a little more efficiently and quickly and eliminate the overlap that is present and is delaying the process. Part of our mandate was to assess the need as to the kind of training, short-term and over the next two or three years.

As I say, that's been under way for some time, but a year and a half ago we changed it from Partnership 2000 to a facilitation committee in the Waterloo/Wellington area concerning the formation of a local training adjustment board as the various reports became public.

I must also inform you that besides chairing that particular committee, which has some 40 people on it in those two areas, I'm also the chairman of the Uniroyal Goodrich Local 80 adjustment committee. As you know, that particular plant has closed, and we now have 800 people we're moving through a process of training and retraining, upgrading their education and finding them jobs. This has been a very important group we work with, originally made up of three union people and three management. The same six are there, but no longer are they union and management; they're a team.

I also have been sitting on advisory committees of both our school boards, because over the years I've been very interested in the whole educational and training system. I have retired as the commissioner of economic development for the city and have been in the planning field up there for many years.

Our committee has no funds and no staff, so it's been using all our partners to be able to put together things. We've held three major public meetings: We've had representatives of the province as well as the federal people at our public meetings explaining what is taking place or what is about to take place and getting involved with a question-and-answer period; then we send out a newsletter, with the help of many of our partners, to all the people who've been coming to those public meetings. We've been trying to keep people informed and keep them with us as we move along.

As a group, we believe in the Ontario Training and Adjustment Board in general, the makeup and the issues, but we feel that Bill 96 may require some clarification and emphasis. We believe that local or regional—whatever you want to call them—training and adjustment boards are essential. We feel they have to reflect the geographic terms, the labourshed-commutershed of economic regions, of which ours is one. We feel they must reflect the character of the area. They must have strong links to the whole community, as well as to OTAB itself.

We feel that an LTAB can recognize the responsibility people must take in acquiring their lifelong skills. We feel we have to encourage them and help them make the opportunities available so that they can participate, thus helping to develop a higher-skilled workforce of well-trained people who can acquire multiple skills, adapt to the rapid changes taking place that are now so common not only in the world but in our province and particularly in our own

area, become more flexible in terms of workplace habits, change and job needs, and be able to solve problems, think and work in teams. These attributes will attract new opportunities to an area in terms of investment and jobs, so we feel the local training and adjustment board has a major responsibility.

To do all of this, they must be empowered to conduct research and collect and analyse the data on their own area of responsibility and jurisdiction, of course in cooperation with OTAB, which hopefully is doing the same thing on a province-wide scale so we can fit inside something; from this, to determine the need now and in the near future, prepare a proper business and training plan with priorities and costs and submit it to OTAB for approval. Also, the local TAB has to be accountable for its actions and its own funding, and the results must be tabulated and monitored, perhaps by the provincial TAB. We feel the meetings, too, must be open to the public.

On approval of OTAB, we need to turn the funds over to that LTAB so it can make decisions quickly and efficiently according to its own plan. We feel this would reduce waste and overlap and increase coordination and effective use of trainers and training programs available for those most in need: our people. This will create a partnership relationship between the LTAB and the people and the users.

Thus, to assure a responsive atmosphere to people's needs, permit ready access by the people for help and ensure equity and efficient, swift delivery of training and adjustment help to the people, OTAB must, through an approved business and training plan based on need, transfer the funds and power to the local TAB. If people in one area of the province, and an LTAB as well, must constantly turn to or bug OTAB for this or that, we'll be in a bigger mess than we are today.

Clear, concise policy directions and guidelines must be developed by OTAB for the LTABs, and LTABs have to do the same thing. To be efficient and effective and help the people in a period of constant change and shifting needs, we feel nothing less should be acceptable to this committee and to the province.

I think we always have to keep in mind that the whole purpose of OTAB and its federal counterpart is to meet the needs of our people; it doesn't meet the needs of the labour market. These are the labour market partners of Ontario as a whole, and in the various economic regions. So training and retraining, upgrading the skills, encouraging upgrading, offering opportunities to do so, is what we're all about, I trust.

We have no real problems, as I mentioned before, with many of the things in the bill, nor with the director membership as a whole, but we feel that the director membership at the local area has to reflect and be chosen by our own people in our own economic region: chosen by our own labour people and our own labour councils, which are already on our committees, our own business groups and associations, our own educational institutions and our own training organizations and of course our own social groups. We don't feel this should be done by some provincial labour organization or provincial business or educational organization. We feel that

has to be something done by ourselves, within the guidelines and the rules of the OTAB itself.

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We're well organized and structured at the present time with all our partners. We've had nothing but full cooperation from our labour councils and our business people, who've been sitting around the table for three years discussing this and getting used to each other. But again we need flexibility to reflect the area. For example, our three universities, the college, the four school boards and some of the community trainers have formed a resource group, or, perhaps, as the bill calls them—I forgot the name for a moment, but we just call them resource groups, as they call themselves. This group has felt that perhaps it needs two representatives instead of one on our committee, and perhaps another one from the private training group. These kind of things we have put into our report which we will be sending down to you. We feel there has to be some flexibility at the local area, to be able to fit within the mandate and yet not upset the co-chairs of both labour and business.

Something similar may be needed from the various social groups sector because there are so many of them, and it may be difficult within all that group to just have four. Again, we feel we have to reflect the whole area. We feel that someone down in Queen's Park shouldn't be telling each of the areas around the province what they need in their own area, because very seldom do people in Queen's Park know what we need in our own areas. Having 24 directors truly representing an area can still constitute an effective board. I've been working in this province for some 35 years, and it doesn't make any difference which party's in power; we still have problems of them understanding what the heck we do out there in the boondocks.

I urge you not to overlook the fact that small businesses are the backbone of this province, and it is here where the job opportunities are growing and where training is very important. It is here where a great deal of in-house training is already under way, and it has to be encouraged and recognized. They have major needs, and on an LTAB can assure the quality training in the whole workplace, not just in the classroom.

Our existing structures work very well in many instances and help the small businesses and our workers, so when we create the new training structure we have to make sure we retain and build on what is good and what is working; thus the importance, again, of empowerment to the local TAB, made up of our own partners forging even better partnerships among themselves and of course with OTAB.

I know there's been some thought of a levy for training, and we've discussed it at our own particular group. We just feel you should remember that small and medium-sized businesses are now overtaxed by every level of government and by school boards as well. They struggle with training and being efficient while trying to gain more of the market. To tax them to train people may drive the nail the last half-inch. Just think about it first and be careful if you feel the necessity to levy a training tax. We're not saying we're against it, but I think you have to be very careful in today's situation.

We also feel it's about time that someone sorted out the boundaries for the local TABs. As you very well aware—and I am too, by attending many of the meetings in the various areas around us, including our own—there are some major arguments going on about what constitutes a boundary, and we feel this should be sorted out quite soon. It has been difficult lately keeping our partners together as each little entity fights to retain its own turf, or some of them are trying to create turf from someone else's turf. All sorts of dreamed-up reasons are coming out in the open on why they need to have their turf protected or create even another training committee within the group we are already working on.

I think some of them have forgotten that we are here to serve people, and people in need care little about petty political boundaries or turf protection. It's not a municipal boundary, an existing small adjustment board, a business group, a union or an educational institution that is important any more; it's people and their needs, and training can be accomplished in a factory, in a classroom, a portable on a parking lot—we have six on the Uniroyal parking lot doing all of this at the present time—a church hall and on a labourshed area. We think that's what's important. That's what the people have been telling us and that's what is real.

In our area, the labourshed-commutershed recognized economic unit is Guelph, Cambridge, Kitchener-Waterloo and the surrounding area, and we feel that things like this should be sorted out so we can get on with discussing and creating better partnerships within our area.

Mrs Cunningham: Thank you very much, Mr Thomson. We're very appreciative of your presentation today. I, for one, really respect the involvement you've had, so we'll be listening very carefully. Elizabeth Witmer, my colleague from Waterloo, sends her best regards. She's doing other work today in her community, so I wanted to say that.

I should mention what I did find out yesterday on the local boards. I called Employment and Immigration, Mr Valcourt's office, because there seemed to be some misunderstanding, in my view, among some of the presenters and some of the committee members with regard to what basic principles are behind the local boards. Certainly, his office advised me that the CLFDB, the federal body, is looking at four basic principles, which I think you'll enjoy.

First of all, we should be very flexible in the makeup of local boards; they should represent the local community.

Second, they're looking for grass-roots, bottom-fed people; locally appointed.

Third, they feel they should have the control of the local dollars; otherwise, the board would give the money to the local group and it then would disperse it based on what its priorities are.

Fourth—I think this is interesting—as much expertise from the local boards as possible, as they exist and have been working well, ought to be used.

That's what I found out. I think I would be speaking with my colleagues here to see if those basic principles couldn't be built into the legislation so there would be no misunderstanding as to how we all feel, if in fact we agree with those principles, all of which you spoke to.

Mr Thomson: Yes, I agree they're very important. It's interesting where you say they're coming from now. This has come right out of the grass roots, as far as we ourselves are concerned; this is what the people are saying. Our Kitchener-Waterloo/Cambridge labour council has been saying the same things as our business community on these very important things.

Now, having a budget and being able to look after the training locally doesn't mean we shouldn't be accountable to the provincial one. We have to be, because you'll have to be accountable eventually for that money too.

Mrs Cunningham: I was interested in your experience. You seem to have an awfully good working model, because we've had presenters before the committee who have described the non-involvement of labour in the local boards, where they've been invited and haven't participated. That's been true of two or three of the presenters, that they specifically said that is the one partner they need. It's nice to see you've had that kind of understanding and commitment from the labour community in Waterloo. I'm wondering if you've got any secret.

Mr Thomson: No, I just happen to have been brought up in a family and a system that believes in talking to all people. One of the successes we've had in the planning and economic development of our area is that we make sure that with regard to the people who own or operate the factory and the people who are in there producing, we treat them both the same, and meet with them. It's interesting that even labour is represented on our local chamber of commerce too. There's a growing relationship, which I think is good.

Mrs Cunningham: It's certainly the goal.

Mr Thomson: The labour people have a great deal of difficulty being able to find the time to sit on committees that meet in the daytime, so we've just moved our meetings into the evening, and they have no trouble.

Mrs Cunningham: That's quite the experience. I think the government probably heard you with regard to solving the boundary problem. What constitutes a boundary is a good question. We're hearing that from others. I'm just going to finish by saying it was so refreshing to hear you talk about turf wars and what not, and underlining that it's people and their needs that we're here about. Thank you for an excellent presentation.

1650

Mr Gary Wilson: Thank you, Mr Thomson. I agree with Ms Cunningham that it's been a fascinating presentation. Drawing, as you do, from so much experience, it's really useful.

Especially as the local boards have come up for a lot of discussion, I was pleased to hear Ms Cunningham's reference to the Canadian Labour Force Development Board's principles, because, after all, it is also a central body and realizes that it has to work in conjunction with the local boards. Our view, as expressed in the legislation, is that the boards are going to be set up in consultation with both the Canadian Labour Force Development Board and the federal government and OTAB and the provincial government.

Those principles, though, will be reflected, because as Ms Cunningham says, they represent a view we'd all hold.

I'd like to discuss a little bit more your experience with the local boards. Certainly I've picked up, as she did, on your success with working with all members of the community. It reminds me of something that one of the presenters, I think from the OFL, said, that where labour is treated as an equal, it has no problem in cooperating with the people who are around the table.

Mr Thomson: Absolutely, and we sometimes forget that.

Mr Gary Wilson: Exactly. I think you said you talked to everybody. That suggested that kind of principle. I think it's sometimes forgotten when people are viewed through stereotypes, I guess is a way of putting it. The grass-roots approach, where the grass-roots are seen as equal, is an important element. I want to find out how you canvassed the grass roots. What includes the grass roots? How do you get out to it?

Mr Thomson: We of course solicited the news media to come and help us, and we have some good reporters who certainly got as much of the message as possible through the news media, both radio and television. But one of the major ones was to hold three major public meetings, well advertised, one in Waterloo, one in Cambridge and one over in Guelph. We had a tremendous turnout, even though some of the evenings had bad weather, and were well reported. The question and answer period sometimes went on for an hour and a half to two hours, with myself and another one from our committee, plus a federal and a provincial representative from the training area helping with the questions and answers. We recorded all the questions and answers, and we can send those down as well. That generated a tremendous amount of interest.

Then as far as the players are concerned, the labour council made sure it got the message out to a number of the unions. The non-union workers came to the meetings and indicated that they would like to be represented, but the biggest problem I had was trying to figure out how they would be represented. We came to the conclusion, frankly, that the people being selected from the unions from our area would certainly be looking after any worker whether he or she was in a union or not, as far as training is concerned, because that's just the attitude that's up there.

Also, if we select the businesses properly and go from the small businesses all the way through, we're certainly going to have business people who have non-union workers as well as union workers. If we're all only interested in training for people, whether they're in a union or not or whether they're black or white or whatever, we're not going to have any problem. That's how we started working. Slowly people began to believe that when they came to the meetings, and we sat around the table trying to figure out how the heck to do it.

I don't suppose we've got all the questions answered. We never will, but we keep on saying to ourselves, "As long as we keep sitting around the table and we're working towards it, fine," and don't leave the table.

Mr Gary Wilson: People and their needs, as you mentioned earlier, is the bottom line.

Mr Thomson: That's the important part.

Mr Gary Wilson: It seems to me that's another value of the central and the local boards; that is, the umbrella group, OTAB, and the local boards. It allows that kind of experience to be shared with other areas in the province.

Mr Thomson: If those meetings are generally public—there may have to be meetings that have to be closed, I suppose—and those 24 or 26 or whatever number are sitting around that table, the message is going to be carried out to the people, hopefully, of what's going on, and slowly people will become more and more aware of it. Training is going to be very important in this country, and we're going to be depending a lot on how OTAB and the LTABs operate properly with the system. I think people are going to become more and more aware of it.

Mr Gary Wilson: What you're saying I think reflects a lot that's in the bill now. It's that kind of attitude that is going to carry this legislation through to what we'd like to see happening to training in the province. There's a real concern for the public interest. It isn't the narrow view that sometimes gets confused with the importance and I think the possibility of a more public-spirited approach to this issue.

Mr Thomson: In all deference to lawyers, Mr Chairman, I would think that other people should write the bills so we can all understand them better.

Mr Gary Wilson: You have to say that this one comes quite close.

Mr Thomson: Yes. It's not too bad.

The Chair: I agree with you. I have a rather Shakespearean view of lawyers myself.

Mr Thomson: I know you spoke to our Rotary Club about that.

The Chair: But then again, I ain't exactly up on politicians either. So go ahead, Mr Ramsay and Mr McGuinty.

Mr Ramsay: Thank you very much for your presentation, sir. I really enjoyed it. I think you made some very strong points about how we have to make sure that we allow you, at the local level, the flexibility to form the board that suits your particular area.

I was actually very pleased to hear that you've worked out, in a sense, the labour representative problem in your area. When we're dealing with the Ontario board, we're engaged in a lot of debate here about how that worker representation and the business representation should be made so that everybody out there involved on the management side and on the workers' side feel they're being represented. Locally, in a sense, it really doesn't become a problem, because whatever fits, then that's going to be fine.

I guess what's happening on the Ontario side is that the legislation imposes for the OTAB that there have to be, on the workers' side, eight reps from organized labour. That's a difficulty a lot of us are having. We'd like to see some more flexibility there, but as far as I'm concerned, I would go along with how you've organized it: Whatever works in your municipality, in your region, is fine. I like what you

said too, that the linkages have to be strong in the community, so it has to be a community of interest.

You brought up the concern about borders. It's not for us here at Queen's Park or for some federal officials from Ottawa to impose what your region should look like. You know what your region looks like. I support you in that. I want to make sure that we're hearing different ideas about how the local boards are going to be structured. But I'd like to see something in the legislation that talks about these principles you've enunciated here today, that you will be allowed to form your own groupings and allowed the flexibility. So if it's all unionized people in your area, then that's fine. If that's what working, then that's great; let's have it. But allow the local groups and areas to have that flexibility to make it work, because we're all here trying to make it work, and that's great. I don't know what we can do about the boundaries.

Unfortunately, when you look at the bill, we're only looking at a little bit of a skeleton of this thing, and much is to come afterwards. I hope that, through amendments, we can get some of these concerns you've brought forward so we have some certainty that the work you've done already will be protected and allowed to flourish in the future. Thank you very much.

The Chair: Well, Mr Thomson, obviously you've generated some interest in what you've had to tell us, both in terms of your views about the legislation itself as well as the activities of your local TAB. We're appreciative of you and your LTAB for expressing that interest and for participating in this hearing. We congratulate you. I think I speak for everybody on the committee in the functioning of your LTAB, certainly unique, as everyone is, but one of which I believe you and the community can be very proud.

We thank you for coming to Toronto. We trust you'll be following the legislation, and we hope you'll be touch with any one of us about things as they progress if you have further comments to make. Thank you kindly, sir. Have a safe trip back home.

Mr Thomson: Thank you, Mr Chairman.

1700

CANADIAN AUTO WORKERS. LOCAL 1459

The Chair: The next participant is the Canadian Auto Workers, Local 1459. Please, sir, have a seat. Tell us who you are, your status or title, if any, within the local, and proceed with your comments.

Mr Michael McCue: Thank you, Mr Chairman. I apologize for my lack of any printed statement. We just lack the facilities; it's a small local union.

The Chair: Go right ahead, sir. We've got some of your written material. That'll be made an exhibit. We're interested and eager to hear what you have to say. No need to apologize.

Mr McCue: If you could bear with me for this brief verbal presentation. My name is Michael McCue. I represent Local 1459 of the CAW, from the Chrysler casting plant located in Etobicoke. I must thank the committee for giving me this opportunity to express my concerns about Bill 96.

On October 26, 1992, the membership were informed that due to competitive and economic reasons, the company would be outsourcing a portion of our die cast facilities, resulting in the loss of 106 to 179 jobs commencing some time in April 1993. These competitors, we understand, are primarily located in the USA, where tax incentives are commonplace and therefore attractive to businesses that are motivated to increase their profitability and survivability, which we feel is a basic flaw in the present bill, OTAB. We feel it's like closing the door when the horse has bolted.

You'll notice that I had attempted quite some time ago, based on the information we got there, to secure some financial assistance, back in 1986 when the Peterson government announced, I might say with great fanfare, the creation of a \$1-billion fund. My limited information about this bill does nothing to convince me that this bill is not just a rehash of the Peterson government's attempts to keep jobs in Ontario. I might say that the Peterson government's attempts failed miserably, as you can see by some of the other things I took from the 1987 paper.

At the same time that they were introducing this bill, there were good, high-paying, high-tech jobs leaving the province. In our Etobicoke area we've seen this. Good-year, Sunbeam and Chrysler itself were affected. They're moving south, but they're moving anywhere, for that matter. They don't just necessarily go to the Americans.

OTAB seems to be devoting—from the little information we've got about it, at least—all of its attention and its resources to training and nothing to strengthening the existing businesses such as ours through research and development. You might say that the company itself should be putting some money in, but it has some competitive pressures too. Our local union had contacted the IRDI—that's the Industrial Research and Development Institute—up in Midland. It seemed like a great idea at the time, but on the surface it's nothing more than a façade. You know, there is nothing there. It might be taking time to get going.

We felt this Midland operation was a good idea inasmuch as there could be some knowledgeable people up there who might be able to assist our businesses. We're into moulds and dyes. They could, through a bit more knowledge, introduce that knowledge into our plant and make it a bit more competitive. That was the idea behind it. Unfortunately, it never did get off the ground. We feel they really lacked cost-saving innovations. They were more interested in production and moving the jobs to a lower-priced source, whereas we felt this could make us a bit more competitive.

This is where we believe this money should be spent. That would be in the strengthening of existing businesses such as ours, and others of course, through research and development and introducing new, innovative techniques, new procedures; not in the training for some non-existent jobs. There are none. You know, there are no jobs right now. So we feel that the money would be better spent in existing businesses which are there right now. Put the money in, build it up, make us more creative, and then that way we'd be far better off to hire, rather than, I might suggest, create some enormously expensive bureaucratic

system. This is where this \$1 billion went last time. It did absolutely nothing.

The only people who seemed to benefit from this system were the administrators and the other people involved. It does nothing for the workers of Ontario at all. I think it's just a matter of time before you see businesses like ours—Chrysler's a big multinational automobile corporation—move wherever it's cheaper. I think we're losing something. These are good, high-paying jobs; it's a high-tech business. We've got all kinds of training. It comes out that we're training die-casters at the same time they're laying them off. The chances of some die-caster moving into some other die-casting facility in Ontario is very slim. So it's not money well spent. Chrysler might say, "I've got some money from the government to train die-casters," and at the same threaten us with layoffs. I think the money could be far better off if it was reinvested back into research and development to strengthen the existing businesses.

I thank you for this opportunity and I'm open to any questions.

The Chair: Thank you for leaving time, because I've got a feeling there are going to be some questions and comments, starting with Mr Wilson, please.

Mr Gary Wilson: Thanks a lot, Mr McCue, for your presentation. I guess in one sense it can be seen why you'd like to see money invested in your particular plant. But I do want to say about the OTAB, in fact it's going to be an umbrella operation that's pulling together various training programs that are now spread among programs in different ministries. So in that sense there won't be any new money devoted to it; it's just pulling together programs that money is already being spent on, and we expect it to be spent in a more productive way.

Are you aware of the structure of the Ontario Training and Adjustment Board and how it is expected to—

Mr McCue: As I mentioned earlier, I have very limited knowledge of it. The information is very scarce to come by. I've been trying desperately to get some.

Mr Gary Wilson: We can certainly provide you with that. The Ministry of Skills Development has come up with an excellent package of information that will give you the outline and the reasons for the OTAB. But briefly, I can say it involves the labour market partners. Business and labour will take the lead and then groups representing people who would like to be working will also be there. So again, the overall people driving it will be people who need training.

I'd like you to draw on your experience in the union movement to say what you expect the source of cooperation between business and labour, from your experience—what we can expect.

Mr McCue: Chrysler is devoting a great deal of time to quality programs, and most of the training revolves around that. They feel that quality is of vital importance nowadays, since the consumer is very sensitive to quality problems. So they have devoted lots and lots of time and energy to improving the quality of the product. The unions have wholeheartedly endorsed that. We have numerous programs in Etobicoke that further quality improvement

programs, which results in regular training schedules on that. But it still does not prevent the loss of the jobs because of the economic and competitive pressures that are there, the prices.

Mr Gary Wilson: Of course, our government sees OTAB as being very important to the economic renewal of the province. It can't do everything, but certainly training is an important element of our economy, as we've heard through these presentations. But certainly there's the perceived need to improve the training that is available. We think that OTAB will do that with the kind of model that we're promoting here. It's important, I think, since it's arisen fairly often, that there is some question about the ability of labour and management to cooperate, but you suggest that where the goals are agreed on, there appear to be the grounds for cooperation.

Mr McCue: As you notice in that reference material, back in 1986 we prided ourselves on being very cooperative with management, because we realized that's where the jobs were. We, at that time, had devoted lots of time to joint programs, jointness. We have no disagreement when it comes to that.

Mr Gary Wilson: We've also heard presenters who have said that where people are treated equally, where people are listened to, then there is no problem with cooperation.

The Chair: Thank you. Mr Wiseman, please leave time for Mr Martin and Mr Huget.

1710

Mr Wiseman: This program, the Ontario Training and Adjustment Board, is designed to fulfil a need within the manufacturing sector and in the delivery of goods and services in our economy, to train people who are currently losing their jobs so that they can be retrained and refitted into the economy. It's not designed to do what you've asked it to do. Programs like the manufacturing recovery program, which was given a fund of \$57 million this year and has used it, are designed to do that, and the industrial research program, which was \$20 million, is also designed to do that. The technical personnel programs, the Ontario Development Corp and Innovation Ontario are all designed to do the kinds of things that you've said, and they have been funded. I know that they've been well used, because I've been very active in my community talking to the manufacturers who've been using them. So that's on that side.

But one of the things that the businesses in my community have been saying to me is that they need to have people who have good skills, good thinking skills, good application skills, that they can then use to expand their product base and to export. I just thought I'd set that out for you to let you know that the side of the equation that you're talking about certainly is being funded. Why the Liberals in 1986 couldn't find any more than \$22 million to invest is beyond me, because we can do that in my riding with no problem.

Mr McCue: I might add, though, that the local management, at least those trying to set up the training programs, have always insisted that the complexities involved

in getting a program set up are not worth the effort, and the money involved is just not there. So we have got some training programs in the plant, and I'm sure they're funded partially by the government, but they've always insisted that the reason they don't want to get more is because it's too difficult to obtain the moneys.

Mr Wiseman: One of the companies in my riding spent \$180,000 of its own money plus other funds to not just train one person but to train the entire plant, right from the owner down to the person who worked on the loading dock in the back. The reason they did that was because they were able to move their wastage, in terms of mistakes, from 17% of their production capacity to less than 0.3%. That's a heck of a lot of money that's being saved, and they were funded both from the Ontario and the federal government as well as a huge amount of money of their own. So that's the kind of thing that can happen, and that's the kind of productivity changes that can be made when everybody gets together and goes through the program. So I think that the potential for this is not yet written, in terms of savings and in terms of producing more jobs in the future.

The Chair: Who wanted to go next?

Mr Martin: I just wanted to build on, perhaps, what Mr Wiseman has said and say to you that there are some other things happening out there. Perhaps you could give a comment on whether it is in fact what you're proposing here.

In the city that I represent, Sault Ste Marie, steel is under attack at the moment. As a matter of fact, just today there was an announcement by the Americans that they were going to put further levies against our ability to ship steel into the States. The question is: What is the Ontario government going to do? We've been working with our company in Sault Ste Marie to restructure, actually leading the way in a very innovative restructuring initiative, I think, that includes the union and the management working together.

Our government, in cooperation with the federal government, invested \$12 million this year in training for people already in the plant so that they might rehone their skills and develop an ability to work with new technology as that plant restructures. In this instance, through the strategic planning exercise that we went through in the city, we recognized that we couldn't turn our backs on what's already there. What's already there is a good foundation upon which to build some new opportunity to move into the North American and global markets.

So of the \$12 million that was announced by the Minister of Skills Development about two or three weeks ago for the steel industry, hopefully about \$4 million of it to come to Sault Ste Marie is in fact to retrain the people already working there in the new technologies that will be required. Is that the kind of thing you're talking about?

Mr McCue: Exactly, yes.

Mr Martin: We're hoping that this will also be able to be folded into this OTAB structure so that there's some direction and also some ability for other sectors to take advantage of that kind of innovative approach.

Mr Huget: Thank you for your presentation. I'm certainly aware, as I think most committee members in this room are, of the tremendous pressure that the auto industry and its suppliers are facing these days, and consequently the workforces employed in those industries. I certainly would agree that there has to be some attention paid to that whole sector of the economy. It's extremely critical that we start to make some moves to try to address some of the problems the whole industry is facing.

I'm interested in your letter that refers to a \$1-billion high technology development fund, and the fact that you, I guess, had indicated some interest in proceeding with that on behalf of the die-casting industry. If I understand your correspondence right, I guess that didn't happen and what I would like to know from you is, what happened to that fund? Are you aware of that fund ever being used for anything, or for what?

Mr McCue: I have no idea. It just seemed to die on the vine, I suppose.

Mr Huget: Well, that's unfortunate, and I hope through the initiatives that are under way—at least, parts are under way under this legislation—we can make some gains in that. I would ask legislative research if it could provide the committee and myself with a policy paper that's referred to, the 1986 high technology development fund, and I would also like to know how it was applied and used.

The Chair: Okay, and perhaps ministry staff could assist the research staff. Thank you kindly.

Mr Ramsay: Thank you very much, Mr McCue, for your presentation. I particularly liked—and this was unique in your presentation from all that we've heard—where you've combined the need for the introduction of high technology and training, because that's right. You expressed, I felt, the frustration that it's almost a chicken and egg situation, because you said it's all very well to be talking about and concentrating our efforts on training, but then you said, training for what? What jobs are there? As you said, which is fact, there aren't many jobs around today, and it is a difficult problem.

I think we're going to have to work on both. I am, in our caucus, the critic for both skills and technology and research. We felt that these things should be combined, that these are things that really need to be studied together and need to be coordinated together, as you have said. I guess the frustration, a little bit, is that for companies to introduce technology, you've also got to bring management and labour, the whole workforce, up to speed to be able to manage and run that equipment. So it has to come together.

We might have been a little ahead. The private sector in this country has been a little behind in the introduction of new technology and a little negligent as far as skills training is concerned, with its employees. As I've said to many people, where the skills training has been employed in business, it's been more to the white collar rather than the blue collar worker, and that's got to change. We've got to make sure that business becomes a full partner and pays its share in the upgrading of employees in Ontario. I'm

hoping OTAB will do that and I appreciate your comments about how the introduction of technology is important too.

Mr McCue: Thank you.

The Chair: If you want to respond, feel free.

Mr McCue: The company's always talking about coming to the party: We have done that. You'll notice at Chrysler that there's been a remarkable change in its attitudes and the quality levels, and it has cornered a bigger part of the market share. The unfortunate thing for us is that everybody seems to be doing the same thing, so the levels of competence are the same. It still becomes a matter of economics, and if it's cheaper to manufacture the parts in the southern United States or elsewhere, then that's what they do.

Now, I'm saying that the government—and there seems to be lots of money available—rather than devoting all the moneys to training, I would like to see try to keep the established businesses alive by introducing some grants, possibly, for research and development. I'm sure there's still lots of room for improvement in the Etobicoke casting plant.

1720

Mr Ramsay: There is money still there for that. There is an innovation fund. I think the research will find that's still there, under this government, and is being used.

You're right. We have to move into new technology. I think what we're going to find, and this is the hard part of it, is that some of this work that can maybe be done, unfortunately, in other jurisdictions means that we will probably have to do other types of work and it will have to be even more highly skilled work. All of us are going to have to get more up to speed and we'll maybe be producing other things. The most modern appliances and convenience items in our homes haven't been made in this country. They're basically made overseas, and usually in the Orient.

We need to be getting into making those things that the Asian countries are making and that we love to have. Whether it's personal stereos and VCRs and microwaves, all that stuff comes from Japan, Korea and the other engines of growth over there in the Pacific, and what we have to do is move ourselves up to that and produce goods of higher sophistication.

It's going to be tough. I think we're not going to see too many windshield wiper plants left. Those are going south, unfortunately. It's going to be a tremendous transition and it's going to be tough on all of us, but we're going to have to work together.

Mrs Cunningham: Are you still employed at the Etobicoke casting plant for Chrysler?

Mr McCue: Yes, I am.

Mrs Cunningham: I appreciate your coming here today. I have a couple of questions. I'm assuming you were disappointed that the government couldn't find money in 1987 with regard to your request to the Premier of the day.

Mr McCue: Yes, extremely disappointed. I thought the money was there. As I say, with great fanfare they announced this \$1-billion fund, and the way I read it, it

was to help businesses like ours strengthen up, and then I read later in 1987 that it was disbanded because there were not enough applicants, apparently. I left a copy of that.

Mrs Cunningham: I appreciate it. My assumption now is that there have been some interesting joint ventures, just because of the work that you do, with auto parts people and the government with regard to research and development and training. I can't be specific on them, but if you want to get in touch with me, it was announced probably in about November or December—early December—in the House, so you might be interested in that.

Mr McCue: Yes.

Mrs Cunningham: I'd be interested too to see how well it's working in the area of training. But my question is this: Are you involved to any extent right now in this casting plant in training, either by your own employer or employee involvement or government support in any way?

Mr McCue: Yes. We have an apprenticeship program. We have two members populating that program at the present time. We are involved, as I mentioned before, on a regular basis in joint programs and quality programs. There are regular updating systems in place all the time. Companies are tightening up. Stuff that might have been acceptable in the past is no longer acceptable. So we have to continually update our present systems, and we do that and we do it jointly. It's a joint program. We have a union facilitator who more or less quarterback the whole system. So we're eager. We thirst for this information.

Mrs Cunningham: Good.

Mr McCue: We feel it's where our future is.

Mrs Cunningham: Yesterday we had a presentation from a similar kind of person. I'll be specific here. At least, I thought I would. The Mechanical Contractors Association of Ontario, Local 46, a Jack Cooney, was presenting. He had a very interesting concept in his plant. He had a skills development or a training fund. Actually, it was a training fund. Do you have a training fund, or basically who provides the time for the workers or who provides the training for the workers in your plant now?

Mr McCue: Local management does that.

Mrs Cunningham: The management does it?

Mr McCue: Yes, they do.

Mrs Cunningham: So, really, Chrysler does put some money into training and upgrading.

Mr McCue: Yes, they do.

Mrs Cunningham: Okay, because there have been some accusations that it doesn't happen, but it does happen; I and you would probably both agree not enough, at least across the province.

Mr McCue: My argument is that we're being trained in what I would think are some obsolete systems. I think there's more modern equipment available and the company refuses to install that, and there's really not much we can do about it. Their argument is that for competitive and economic reasons, they can't afford it. Consequently, somebody else does it and the jobs move.

Mrs Cunningham: That's a good point, and that's perhaps where the government could step in.

Mr McCue: I envisioned that if there was money available, I thought there would be enough money possibly to create a six-man research and development team in Etobicoke. I'm looking just after my own plant. What they would do is that they would just look at the operation and come up with some method of improvements. That Industrial Research and Development Institute in Midland seems like a tremendous idea. They're going to have a brains trust of people up there and you can draw upon it. There's a membership fee, apparently, that companies have to pay into. The thing doesn't work right now. Maybe it will work eventually, but that type of thing, I thought, was beneficial to operations like ours.

Mrs Cunningham: It's not just the training here; it's the actual fact that within your operation there is probably better equipment and a better way to do things?

Mr McCue: Absolutely.

Mrs Cunningham: I think you said earlier that you felt the training dollars should go directly to the employer, and in this case it would be Chrysler.

Mr McCue: Yes.

Mrs Cunningham: Have you looked at the structure of this board and how it would work?

Mr McCue: No. I'm sorry; I'm trying to get some information on that. I've been trying desperately, but as I had mentioned earlier, it was kind of scant. From the information I get from the newspapers, I don't think this OTAB would suit our purpose.

Mrs Cunningham: I think that in the way you presented it, it may not, but I think it's extremely important for the board to consider what you have said, because what's the point of providing training? You, as a worker, may put a good case before your local board. You seem like the kind of person who could even sit on the board and direct out to other parts of the community because of your interest, yet if we're putting money into that plan—I'm now talking about public money or maybe a combination—without the equipment that you're describing, that's a problem too. We don't want to just say, "Your workers aren't worth upgrading or retraining," but there's a combination of things and I think it's important for the government to look at that as part of the responsibilities of OTAB.

If that's what we're going to run into—and I can tell you that's what we're going to run into in some of our school systems and our colleges when it comes to their ability, because of their equipment—that's why we have to work so carefully with the private sector. But here's a private sector person, you, who's telling us, "We can't even do what we know we have to do in our own plant." It's been a very interesting presentation. I thank you.

The Acting Chair (Ms Sharon Murdock): You have about two minutes left.

Mrs Cunningham: I'm going to be very gracious and say I won't use it—

The Acting Chair: Or for the presenter's response.

Mrs Cunningham: —except that we do have a lot of information. I think I've got everything I need, and I'll get you the package so you can share it with your employers.

Mr McCue: Thanks very much. I'd appreciate it.

The Acting Chair: I want to thank you very much for taking the time to come in and see us. We appreciate when we get individuals who have obviously spent a number of years on this issue.

WHITBY CHAMBER OF COMMERCE

The Acting Chair: Our next presenter is the Whitby Chamber of Commerce, Mr Bergin and Mr Kealey. Did I pronounce the names correctly?

Mr Ian Bergin: Close.

The Acting Chair: Would you identify yourself for the record, and you have half an hour.

Mr Bergin: We're pleased yet again to have this opportunity to be before this committee to express the views of the Whitby chamber. I'll begin by introducing myself. My name is Ian Bergin. I'm a chartered accountant and chairman of the government relations committee for the Whitby chamber. Presenting with me today is Mr Marc Kealey, a private consultant and a member of our government relations committee, and we have in attendance with us today Miss Debra Filip, who is the general manager of the Whitby chamber and also a member of our government relations committee.

Our chamber represents some 500 members with well over 10,000 employees working in large-scale manufacturing down to small business. We are vibrant and very active chamber and we take a great deal of pride in that fact.

The Whitby Chamber of Commerce has been studying the OTAB initiative for some time. In fact, our chamber can take pride in the efforts we put forward on OTAB. Whitby was one of the original 23 sites selected by the travelling committee back in May 1992. At that time, we expressed our concern about a top-down process that seemed apparent in OTAB. In our opinion, that same top-down process exists in Bill 96.

We also impressed upon the committee the need to give a great deal of thought to the role of the local training and adjustment boards. Our message at that time was, and continues to be, that OTAB provide a consultative role but that the thrust for providing specific educational training and retraining come from the LTABs, which represent the various communities across the province.

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Bill 96 represents an important step to reforming workplace development in Ontario. As a chamber, we believe Ontario's workforce must change to meet the demands of a changing global marketplace. We can compete if the proper training programs are in place. In some respects this is achieved in Bill 96, but in other areas we're not so sure. In today's presentation, we'd like to address three specific areas of Bill 96: the purpose of the act, minister's directives and the role of the local training adjustment boards.

Section 1 of the act sets out in very broad terms the purposes of Bill 96. In our opinion, the overall objective of

OTAB in Bill 96 must be a working partnership of the labour market partners whose mandate is to identify, prioritize, structure and deliver the training needed by the workforce in Ontario, with the aim of reducing unemployment by providing education to assist workers with the retraining necessary for re-entry into the workforce, and of sending a message out to the rest of the world that the workers in this province have the training and the skills necessary to provide immediate returns to those individuals and companies willing to invest in this province.

In clause 1(a), the act expresses the goal of bringing together the labour market partners who are to play a significant role in the design and delivery of labour force development programs and services. We feel that this section should be modified ever so slightly to reflect the delivery of appropriate labour force development programs and services. The distinction is important if OTAB is going to deal with identifying and prioritizing workforce training requirements.

Clause 1(d) of the act requires that OTAB develop programs within the framework that are consistent with the economic and social policies, including labour market policies, of the government of Ontario. The purpose of OTAB is to deal with the training needs of the workforce of Ontario. This implies, in our view, that a government's particular agenda might impact on the training of Ontario workers. We would hope that any government would use the resources of the LTABs to drive the focus of the OTAB.

The establishment of OTAB itself indicates that this government recognizes that the labour market partners identified in this act are better suited to identify the training needs of the workers in Ontario than the government itself. We commend this government for recognizing that fact. Therefore we recommend that clause 1(d) of the purpose clause be removed so as to narrow the focus of OTAB so that it functions as the government intended, a vehicle for retraining Ontario workers.

Continuing with this same line of reasoning, we wish to address section 5 of the act, which permits the minister to issue written directives to OTAB that relate to its objects and that are, in the minister's opinion, of significant public interest. As we just mentioned with regard to clause 1(d) of the purpose clause, the objective of OTAB is to deal with the training needs of the workforce of Ontario. In section 9 of the act, Bill 96 gives the directors of OTAB a three-year mandate to carry out this objective. The directors must be allowed to carry out their mandate without any outside influence from the minister or their designates.

Since the government is funding OTAB, it has a vested interest in the success of OTAB. OTAB must be fully accountable to the government, and ultimately the taxpayers of this province, for the funds it expends and the quality of the services that it provides. Sections 26, 27 and 28 of the act mandate this accountability of OTAB to the minister. If OTAB fails to function effectively, the minister has the option of reducing funding to OTAB or effectively firing the directors by not reappointing them after they've served their term. However, the OTAB directors cannot carry out their duties effectively if anyone, including the minister, has the ability to effectively override their decisions.

Mr Marc Kealey: Last May, as Ian has said earlier on in our presentation, our chamber spoke with the travelling committee when it visited Whitby on the OTAB initiative, and at that time we expressed some grave concerns about a top-down approach. We felt that there was a need for community involvement in the whole process, and not only a community involvement but that the community initiative was actually the thrust of the whole OTAB.

I have a copy of the local board's Local Boards: A Partnership for Training, penned by Employment and Immigration Canada, the Canadian Labour Force Development Board and of course OTAB, or the proposed OTAB at the time. In that, it's interesting that they pointed out that the local level was the critical point for the identification of these points. I want to read them to you so that it's put on record here as to the notion of the importance of the local communities.

It says major improvements were needed for (1) effective mechanisms for local-level participation in provincial and national labour policy development; (2) comprehensive labour market information assessing community needs; (3) information on and referral to services for individuals and firms; (4) planning and coordination of programs to meet the priorities of the various communities across Ontario.

In our presentation, if these aren't to be the major improvements needed to make OTAB and ultimately the LTABs successful, then the answer for us is pretty clear. We want to see the creation of local boards with authority, autonomy and flexibility in identifying some of the needs at the local levels. That's not to say that LTAB would operate independently of OTAB; it's just the reverse. As a matter of fact, we'd want it to work within the whole framework of the provincial and national objectives, as outlined in this tripartite document.

We're disappointed with the Bill 96 structuring for the local training and adjustment boards. In section 18 of the act, and I'm kind of confused and curious as to the word "perhaps", it says in here, "OTAB may designate local training and adjustment boards that have been established in accordance with the regulations under the act." Yes, and the point we're trying to make is that they use the word "may," and I think that causes us a little bit of concern.

If we're talking about a bottom-up approach, as we've been advocating right from the start, it's necessary that the local boards be the thrust in this whole presentation. At the outset, we wanted to make sure that this in fact was paramount in this legislation. We recommend, therefore, when this committee is in its deliberations, that it look very closely at taking out some of the objectives as found in section 4 of this act and moving them directly to section 18 of this act to ensure that autonomy, flexibility and authority are given at the local level.

I'm sure that when we get to answering your questions, it'll be very clear that local communities have a vested interest in the growth and the training of their workforce. I just want to make sure that you're very clear on the point we're trying to make here, that local boards be the thrust of this whole thing, and if in fact you want to be successful in this, that you're asking the local communities for their input very succinctly.

Mr Bergin: It's a critical time in the development of new and innovative ideas that allow us to compete in this global marketplace. People are looking more and more to government for leadership on these and other important issues. It would really be a panacea to see some community-based initiatives that impact on a provincial body. Perhaps the people in Ontario would be surprised that the government would look to them for answers, and perhaps you may even get them.

Thank you, Mr Chairman, for giving us the opportunity to express our views here today. We wish you well in your deliberations and we welcome your comments and questions at this time.

The Chair: Thank you, gentlemen. Mr Ramsay, please.

Mr Ramsay: Gentlemen, thank you very much for your presentation. It's very helpful and very consistent with what many people are saying about this whole restructuring for skills training in Ontario.

I share your concern also that what the government is proposing here is really a top-down operation. In fact, as you've pointed out in the later half of your presentation, there really isn't much that's spelled out here in regard to the LTABs, those local boards. In fact, as Mr Kealey has said, under the regulations it says the Lieutenant Governor in Council "may," and I'm very concerned about that, because as far as I'm concerned, you really hardly need a big umbrella structure.

What I think, and what other people from all the communities across the province who have come to us in the last few days have said, is that where they're finding it most effective is in the organizations they have on the ground today. Yet, from this legislation, we may not ever see that. We just don't know.

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I will be proposing and bringing forward amendments that will strengthen that and make it mandatory that these local boards get established, and also put in there a lot of the provisions you've mentioned. There's got to be flexibility there, I would think.

I would be interested to know if you have any sort of local organization at the moment that looks at training and adjustment issues in the Whitby-Oshawa area, or what your experience might be on that.

Mr Kealey: We have a number of initiatives that we've started in Durham region. Mr Wiseman, who is in the riding just adjacent to us, knows full well that we've created what we call a Focus on the Future. As everyone here well knows, GM is in dire straits. Not only is it in dire straits, it's giving the worker in Durham region a serious problem. There's absenteeism. There are a number of issues that are really involved in the fact there may not be a GM in five or 10 years from now.

We're looking at ways to diversify the economy in Durham region and how we diversify economy. We've looked at the model of what happened with IBM. In the early part of the 1980s, when IBM rationalized a ton of jobs down in the United States—I can be more specific: 10,000 jobs—there were in effect from those 10,000 jobs

30,000 jobs created because people at the time understood that high technology was the wave of the future.

We can't in Durham region sit back and rest on the fact that GM is always going to be there. What we're saying is, let's have a community-based retraining structure put in place so that organizations, not only like our chamber but like this Focus on the Future, which bring in business interests, bring in labour interests, bring in education interests, are talking about ways that we can make sure our economy and specifically the communities that are well served by Durham region have a stake in the action. I guess that's what we're really asking for.

Mr Ramsay: I agree with you and I think there's got to be that flexibility for communities and regions to find their own equilibrium, to find their own groupings and make sure that, as you've done in Durham, a community of interest comes together, because you certainly have your concerns.

I also agree with changing the purpose clause. I think there's a lot of sort of wishy-washy items that got into there trying to appease a lot of different groups. I think we sort of lost the sharp focus that should be there, that this particular bill is to create an organism that is to produce the most highly skilled workers in the world. I think that's got to be the number one goal of this piece of legislation and I think we've got to sharpen that up a little bit. We welcome your advice for that.

Mr McGuinty: Thank you, gentlemen, for your presentation. I'm in agreement with the great bulk of it. I think the concern I have, though, relates to minister's directives. You make a sound argument to the effect that you have to ensure at the end that the public interest reigns supreme and that there's accountability, but the way I look at the bill, the only vestige of real accountability, the taxpayers, is through those minister's directives.

Without the minister's directives—if I'm 65 years old, I've retired, I'm continuing to pay taxes, I have no direct or vested interest in training in a direct sense. I have a concern socially and I feel responsible and I want to see these programs take place, but as a taxpayer, who do I hold accountable if I don't feel these training programs are working properly, if I can't at least go to the government of the day and say, "At the very least, Mr Minister, you can issue directives." How do you respond to that?

Mr Bergin: The minister himself would still be accountable for it. What the minister has done is recognize that it's time to go out more to the grass roots, go out to the people and see what they need in terms of training. Some of the programs in place now have essentially been run by the government; now you're putting it under one umbrella organization. The minister is putting together 22 people who represent a cross-section of the labour-market partners, and sort of saying to them, "You're the management." You're putting a management team in there to carry out a specific objective to deal with the training of workers here in Ontario. The minister, having put those people in place, will rely on them to do the job necessary. If they don't, he can remove them.

What we're concerned about is that everyone sitting at that table hopefully comes in with the idea of working together with the aim of improving training of the workers, and that there isn't any other reason or ulterior motive. What we're concerned about is that each person there, regardless, is going to represent some special interest group.

What would happen if the 22 people sitting around the table decide that there's a certain action that OTAB should take and 21 agree and one doesn't? What we're concerned about is if that one person could go out and effectively lobby the minister, who could then issue a written directive and override the decision of 21 other people. If you're going to put a management team in there to do the job, let them do it.

Mr McGuinty: I wonder, if I might on that, what do you think of this business of a double majority or a triple majority, as some people have suggested?

By a double majority, I mean not only would there have to be a majority when you're making a decision in terms of actual numbers, but that it had to be a majority from the business group and the labour group. What do you think of that idea, just to ensure that both groups are satisfied?

Mr Kealey: If I may, that's a very good point. I think that we recognize that, but I guess the problem is when we're looking from the point of view of the act in terms of the minister's directives, the minister can in effect override any decision made by the board. That's the way we read it in this act.

I think from the point of view that Mr Bergin is coming from, in the way special interests work in this province now, if special interests were in effect, regardless of the double majority or triple majority, because the minister has an overriding clause, as per the act, then if there were an effective lobby then the minister would issue a directive that could in effect wipe out the triple or double majority that you suggest.

Mr McGuinty: I understand your concern now.

Mrs Cunningham: Thank you for that last explanation. Welcome to the committee and thank you both, Mr Bergin and Mr Kealey. Good for you, working on your local chamber.

I'm interested in some of your suggestions, and I'm interested that you quoted from Local Boards: A Partnership for Training. I'll be specific. Do you think the objectives or the principles that you describe to us—I guess it's in here, isn't it—

Mr Kealey: Yes, it is.

Mrs Cunningham: —on the bottom of page 3, would fit best under section 18? Should we be putting that right in the act itself? Because it in fact does talk about what has to happen. Do we want that spelled out? Is that your suggestion?

Mr Kealey: It certainly is. I think there are objectives in section 4 of the act too that we could put in, but when I read this, I was really delighted because I thought that government for the first time was saying how necessary and vital community involvement was. I thought, "If

they're going to put that into the act, you've got our 100% support." Then we see this act and it's not there.

Mrs Cunningham: It's not there.

Mr Kealey: So there's a little bit of concern. Maybe the committee didn't get a copy of this report. Excuse me for being flippant.

Mrs Cunningham: We basically had it. Most of us who are involved in this have looked at that for a long time.

The other question I have then, you mentioned parts of section 4 that should be also in section 18. Are you saying, leave those particular parts—I'm going to ask you to do some work for us—under section 4? Are you saying there are some that would be better under section 18 for local boards as opposed to the governing body? Could you explain that?

Mr Kealey: We rolled up our sleeves and went through this whole thing. Ian has gone through this six ways to Sunday, but section 4 really does lay out some objectives—

Mrs Cunningham: I agree.

Mr Kealey: —that are vital to OTAB as what we would call a distribution centre. If you looked at section 4, I guess we could go through certain parts of the 18 objectives. For example, paragraph 5 is a good number to put in to local boards, because who better to know about what the changes are to skills levels, productivity, quality and innovation than the local levels?

Mrs Cunningham: I agree.

Mr Kealey: Secondly, in paragraph 6, "common standards in occupational training, so as to enhance labour force mobility," there's some concern there because I don't think you could take a worker from Thunder Bay and transport that person with a different skillset into Whitby, for example. To our mind, it's better served at the local level. Then, of course, paragraph 10, paragraphs 14, 15, all the way down to 18.

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Mrs Cunningham: Could I ask you perhaps to give this some further thought, and if any of it ought to be in both sections, then we'll do it. My guess is that you're going to say it should be in section 18 alone. I'd like to give you some more information. The principles that the local board should operate under are missing also in the act.

Mr Kealey: Absolutely.

Mrs Cunningham: I just want you to know, because there was some discussion about that, I did phone up to the minister's office of Employment and Immigration Canada to see what directions had in fact been given to the federal committee—which is an advisory committee, by the way; it has no more power than that. It was stated in this committee that it does, but it doesn't, as of yesterday, anyway. There's no intent by the government of Canada to put that into legislation. So I want you to know that.

But the basic principles are interesting. They're exactly what you talked about, that the federal government is not wed in any way to the model. The makeup of the local committee should be just that: (1) The appointees should be made by the local board; (2) flexibility around the

makeup; (3) grass-roots, bottom-up-fed, which is great; and that the local committee should have responsibility for the budget, which I found interesting.

I've asked the federal government to put those principles in writing to us, because I'm sure the government would want them in writing, and then I think that it perhaps will consider putting them into the bill itself as opposed to the regulations. But I thought it was interesting that this is where the direction is coming from as well. It's nice to see us working together in that regard.

You've explained the concern, as I saw it, with regard to powers of the minister, and that's fine with regard to sections 26, 27 and 28, the accountability part. I'm satisfied with that. I'd like to think more about it, though. At the very end, I guess it's section 18, you want that to be a "shall," right? Section 18 shall designate local training boards?

Mr Kealey: Are you talking about under LTABs or under the minister's directives?

Mrs Cunningham: Section 18 under LTABs.

Mr Kealey: Yes, we are saying that.

Mrs Cunningham: Under OTAB, "shall designate local training and adjustment."

Mr Kealey: Yes.

Mrs Cunningham: Back to the very beginning of your paper, then—I'm sort of going around. I agree with you on the purpose clause. It's interesting to note that as a chamber you're not talking about the biggest issue that we're facing here, and that is the eight representatives of labour all representing the organized workforce as opposed to an attempt to get unorganized workers as well. It's been quite an issue at the committee, and I'm wondering why you didn't mention it.

Mr Kealey: Can I answer that?

Mrs Cunningham: Yes.

Mr Kealey: Ms Cunningham, in our original presentation to the travelling committee on OTAB, we made that point very clear. I think the numbers were 30% organized labour, and therefore they had 100% of the seats at the table. But to us, that's a non-issue. I'll tell you why. We have come here as a group which obviously represents business interests, but we want to work together with the government. I suggest that if labour were represented at the table, the same concerns about retraining workers, whether you were non-unionized or unionized, would be there. I think that's the commitment we're bringing as a labour group—excuse me; boy, did I say that?—business group to the table. Jeepers.

The Chair: I trust Hansard will highlight that comment.

Mrs Cunningham: It's unusual to hear the chamber say that.

Mr Kealey: It is.

Mrs Cunningham: That's not been the position, but that's great, because we had a former presenter—

Mr Kealey: I'll tell you, again, without being flippant, that's why bottom-up approaches like we have in our chamber movement work.

Mrs Cunningham: Which makes me think that it's more people who matter than anything else in all of the work that we do.

Mr Kealey: Absolutely.

Mrs Cunningham: It was amazing to hear the gentleman from Waterloo say today how his board worked, and I think we agree that just listening to him present you could see why things would work. He had that kind of a personality. He wanted things to work so badly.

I'm assuming that you're suggesting to your business people that we have small business and large business represented.

Mr Kealey: Very much so.

Mrs Cunningham: Thank you very much for a very informative presentation.

The Chair: Thank you, Ms Cunningham. Okay, Mr Martin, and leave time for Ms Murdock. Ms Murdock, please leave time for Mr Wilson. Mr Wilson, please leave time for Mr Wiseman. Look at it this way, Mr Wiseman: I guarantee you'll at least be able to start your question.

Mr Martin: I wanted to follow up, actually, on the discussion that you've been having on this issue of bottom up, top down. It seems to me that whether it's bottom up or top down, you still have a situation where somebody is making most of the decisions. In this instance and in this initiative, as you say it in here—and I'm really impressed with your presentation—the importance of this piece of legislation, the importance of this initiative is that we all be working together, top and bottom, and that we work cooperatively as well, provincial and federal government, because there are resources coming from everywhere. All of us have a stake in it and a responsibility.

The reason that the word "may" was left in the legislation was, I believe, in order to in fact allow for that flexibility, so that one group wasn't all of sudden saying, "Okay, this is what we're going to do," but there was room for some further development of that cooperative spirit. Does that make sense to you in any way?

Mr Kealey: It does. But I still think you could have used a better word than "may." I just think, when I look at even the Employment Equity Act, federally and provincially, there seems to be an overlap of services. I think that frustrates people. I agree with what your point is, but by the same token I think that if the federal government is saying, "Yes, we're going to give funding to retrain workers," and the government of Ontario is saying the same thing, well, let's not forget about where the thrust is coming from. What we're saying is, let it come from the local level.

Mr Martin: Thank you.

Ms Murdock: Just on that point, and it's good, because I don't think we're disagreeing, actually.

Mr Kealey: That's a change.

Ms Murdock: Now, now.

Mr Kealey: Now, now.

Ms Murdock: Just because we've met on the OLRA doesn't mean a thing here. I think the whole thrust of this is that local training for local needs is the key, but because

of that very thing, that the concept of the individual needs of the individual community are so vastly different in different areas, you have to have the OTAB before you can have the LTAB. I think that's basically the concept, but it's certainly not because of a divergence of the view of the need for local autonomy.

Actually, my main point was on the accountability, but I know that Gary's going to speak to that. Schedule 3 agencies, for example, and I'm talking schedule 3 here, are perfect examples of wondrous management skills: the Workers' Compensation Board, Ontario Hydro; enough said right there. Hence, it's really important that this one, which is a schedule 4 agency, allows the minister to give directives to the agency.

I'm somewhat surprised, because chambers across the province have made their views known on workers' compensation, for instance, of how the fact that we use that arm's-length argument that the minister can't direct the Workers' Compensation Board to do anything—that he can make suggestions, but he can't direct them to do this—and that under this bill, being a schedule 4 agency, the minister will be able to direct if need be. I'm wondering why you would want it any other way.

Mr Bergin: I think it goes back to what I said earlier. The minister has a very important role in picking the right people when he appoints the 22 to the board. It's one time, when all the representatives they selected or outlined whom they want to put together to comprise that board, when they have to leave the—like, don't draw any lines in the sand any more.

The goal here is to deal with training with workers, and what you need are people who are very passionate about what this OTAB initiative is there to do. I think the minister has a very big responsibility in ensuring that he picks the right people and that they are going in there to work as a team, not as adversaries. I hope the minister will look to the various groups, get feedback and make sure that the people whom he does put in there are as passionate about it as we feel about it. If he does that, I think they should be allowed to carry out their mandate, because we are concerned with that ability that one person could go around the group and effectively override those decisions.

Ms Murdock: Particularly, I think, on that very issue.

Mr Gary Wilson: Exactly, and I'll just continue on with that, because you mentioned the passionate outlook that you'd like to see the people bring to their work on OTAB, and while we expect that, we also expect a deliberative and maybe dispassionate outlook in some regard, but a dedication that goes beyond their particular groups to the public interest.

But I think the overriding point is the people. There is a consultative sharing of responsibility between the government and the labour market partners that I think will be reflected in the operation, that there won't be any draconian steps taken by anybody, that there will be this cooperative approach, guided by the necessity to make sure that training is reached.

To go back to the purpose statement as well, what might be thought of as being unfocused is actually, I think,

the reflection of the views of the labour market partners. I think this is one thing that we might have forgotten in the past, or overlooked: that people who have been left out just haven't had their views reflected in things like purpose statements, and I think this is what is being attempted here. Again, to take that cooperative approach means that everyone has to be heard. I think you people have said that it works at the community level; we want it to work at the provincial level and that the interaction exists between them.

I know Jim wants to make a statement, so unless you have anything to respond to that, then—

The Chair: Do you want to respond to Mr Wilson?

Mr Kealey: You're right. Again, we're just here to say, "Let's not bring agendas to the table."

Mr Wiseman: Nice to see you, Marc. One of the things that has always struck me as being an interesting dynamic is when you put everybody in the room—and I'm not sure; I can't recall if either of you were in the room when this first thing happened, when Gary Polansky brought everybody together at Durham College, I guess it's a year and a half ago. This was one of the early projects. Were either of you there?

Mr Kealey: No.

Mr Wiseman: I was there, and I spent the whole day because I thought it would be an interesting exercise. It started out as being a rather, you know, dysfunctional, disjointed group, but by the end of the day, by 4 or 5 o'clock, the ideas were coming from all over the place. The consultant who was doing the facilitating was having a hard time keeping up with everything that was coming, and it produced a really interesting document.

In terms of the board, I think you see some of that reflected in terms of who has been suggested to be on the board, because I remember the agreements at the end of the day about equity and about fairness and about distribution and so on being the consensus suggestions. So I think that what you see here, while it may not come together exactly the way you want to see it, is already part of a dynamic that's going like this and will continue to go like this: up and down, backwards and forwards.

I think that's what I see when I look at this bill. I remember that day rather vividly, so I have a great deal of enthusiasm and optimism in how this is going to work out. But it's based on the fact that when you put good people in the room together with the same objective, that's what's going to happen.

Mr Kealey: Let's hope so.

Mr Wiseman: If it doesn't, we're in deep trouble.

Mr Kealey: Yes, because we've only got one chance at this and if we blow it, we're really in a lot of trouble.

Mr Bergin: It's a vital piece of legislation, I think, to the future for all of us. It really is.

The Chair: Thank you, of course, to the Whitby Chamber of Commerce and to you, Mr Bergin and Mr Kealey. I do want to tell you that your presentation is a well-drafted one which is concise and precise, and the committee is grateful for that type of approach at these

committee hearings. You've obviously provoked some interest on the part of the committee members of all three caucuses. That's demonstrated by the types of exchanges that took place.

Please express to the membership of your chamber our gratitude for their interest, for their participation at the local level and for their enthusiasm about the prospects that OTAB holds for the future. We're grateful to you, we thank you for being here, and we trust you'll keep in touch as the bill goes through committee. We're doing clause-by-clause beginning February 22, and of course you or other members of the public are entitled to participate by attending. We'll be televised the week of February 15 and we'll be in this room the week of February 22. We trust you'll

keep in touch, and if there's any other information you can provide, we welcome it. Thank you, people. Have a safe trip back home on the 401. Maybe your next submission will be to a Ministry of Transportation proposal.

Mr Kealey: We've got some comments about that, too.

The Chair: Thank you kindly.

Thank you once again to Mr Huget and Ms Murdock for helping me chair today's committee. Thank you to the staff, who have been patient with all of us, and thank you to the committee members for their cooperation. We are adjourned until 10 am tomorrow morning. Good night.

The committee adjourned at 1805.

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- Turnbull, David (York Mills PC)
- Waters, Daniel (Muskoka-Georgian Bay ND)
- *Wood, Len (Cochrane North/-Nord ND)

*In attendance / présents

Substitutions present / Membres remplaçants présents:

- Cunningham, Dianne (London North/-Nord PC) for Mr Turnbull
- Martin, Tony (Sault Ste Marie ND) for Mr Waters
- Ramsay, David (Timiskaming L) for Mr Conway
- Sutherland, Kimble (Oxford ND) for Mr Dadamio
- Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND) for Mr Klopp
- Wiseman, Jim (Durham West/-Ouest ND) for Ms Murdock and Mr Dadamio

Clerk / Greffière: Manikel, Tannis

Staff / Personnel:

- Anderson, Anne, research officer, Legislative Research Service
- Smith, Cynthia M., director, Legislative Research Service

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